

## **NOTICE OF MEETING NPDES TECHNICAL ADVISORY COMMITTEE (TAC)**

**TUESDAY, APRIL 15, 2014 – 10 AM to NOON  
SAN MATEO MAIN LIBRARY, OAK ROOM  
55 WEST THIRD AVENUE, SAN MATEO  
(See location map on back)**

### **AGENDA**

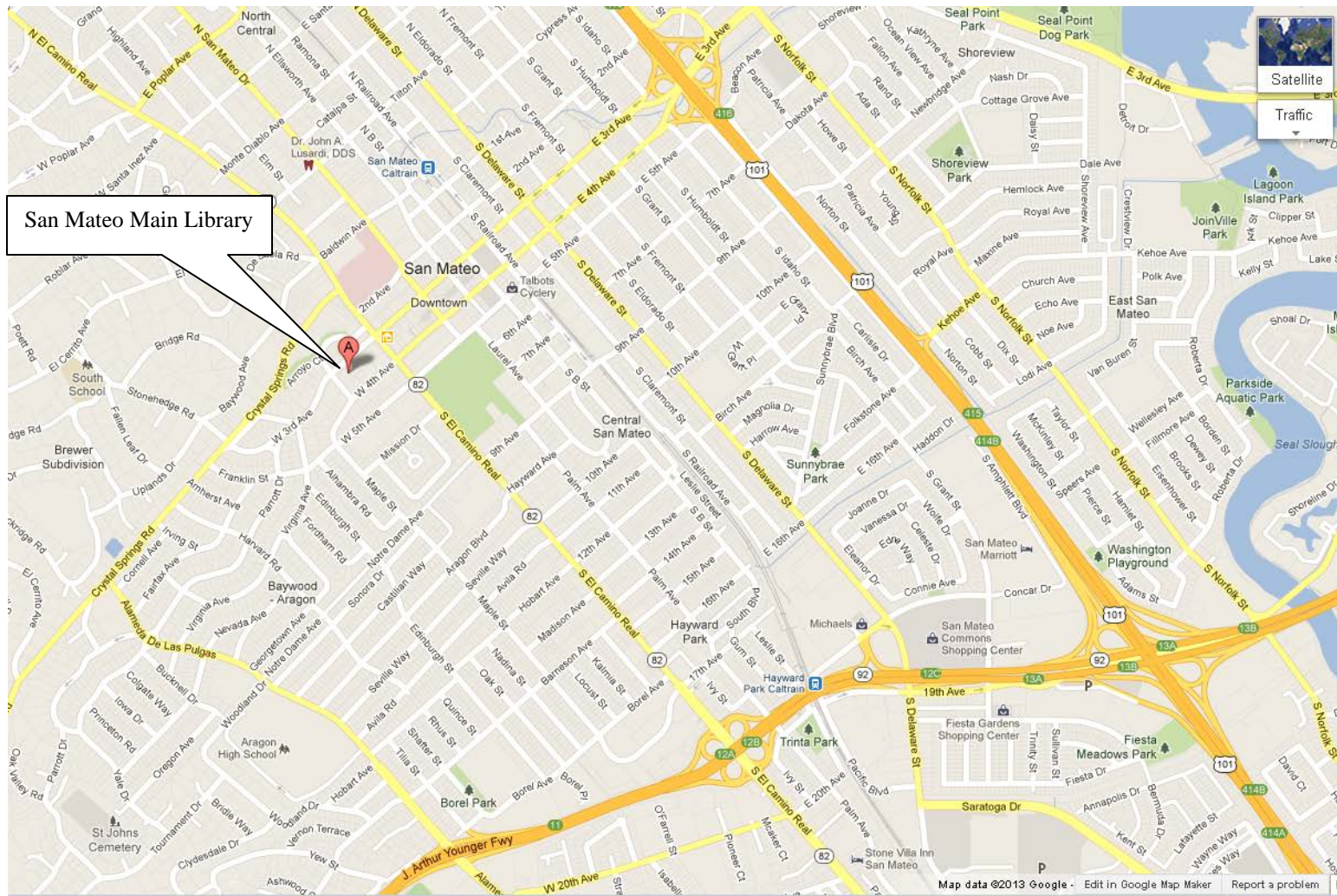
- 1. INTRODUCTIONS, ANNOUNCEMENTS, AGENDA REVISIONS – MATT FABRY, Countywide Program Coordinator**
- 2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA (limited to two minutes per speaker)**
- 3. APPROVAL OF MINUTES FROM PREVIOUS MEETING**
- 4. REGULAR AGENDA**
  - A. INFORMATION – MUNICIPAL REGIONAL PERMIT REISSUANCE (MATT FABRY)**
  - B. INFORMATION – UPDATE ON POTENTIAL COUNTYWIDE FUNDING INITIATIVE (FABRY)**
  - C. INFORMATION – MERCURY & PCBs PLANNING PROCESS/WORKGROUP (JON KONNAN, EOA)**
  - D. INFORMATION – UPDATE ON REGIONAL POTABLE WATER DISCHARGE PERMIT (KONNAN)**
  - E. INFORMATION – MRP COMPLIANCE OVERVIEW/QUARTERLY CHECK-IN (KONNAN)**
  - F. INFORMATION – OTHER ISSUES, SUBCOMMITTEE UPDATES**
- 5. NEXT MEETING – July 15, 2014**

**Post by 5:00 P.M., Friday, April 11, 2014**

**NOTE: Persons with disabilities who require auxiliary aids or services in attending and participating in this meeting should contact Matthew Fabry at 650-599-1419, five working days prior to the meeting date.**

Public records that relate to any item on the agenda for a regular NPDES Technical Advisory Committee (TAC) meeting are available for public inspection. Those records that are distributed less than 72 hours prior to the meeting are available for public inspection at the same time they are distributed to all members, or a majority of the members of the TAC. The TAC has designated C/CAG's office at 555 County Center, 4th Floor, Redwood City, for purpose of making those public records available for inspection. The documents are also available on the Countywide Program's website at [www.flowstobay.org](http://www.flowstobay.org), and C/CAG's website, at the link for agendas for upcoming meetings. The website is: <http://www.ccag.ca.gov>.

**MEETING LOCATION**  
**San Mateo Main Library, Oak Room, 55 West Third Avenue, San Mateo**  
**(PARK IN LIBRARY'S UNDERGROUND GARAGE)**



## **NPDES Technical Advisory Committee Agenda Report**

**Date:** April 15, 2014  
**Item:** 3  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Approval – NPDES TAC meeting minutes – January 21, 2014

### Summary

The attached minutes were recorded from notes taken at the subject meeting.

### Recommendation

Approve January 21, 2014 NPDES Technical Advisory Committee meeting minutes as drafted.

### Attachments

Draft January 21, 2014 Minutes

**NPDES Stormwater  
Technical Advisory Committee (TAC)  
REPORT OF MEETING**

**TUESDAY, JANUARY 21, 2014  
10:00 to NOON  
CITY OF SAN MATEO**

**1. INTRODUCTIONS, ANNOUNCEMENTS, AGENDA REVISIONS:** Self-introductions were made. Matt Fabry provided updates from the January “State of the State” meeting of the California Stormwater Quality Association (CASQA), including: EPA was petitioned by environmental groups that all CII (Commercial, Industrial and Institutional) facilities need to be permitted under an NPDES permit. This could result in thousands of additional facilities requiring permit coverage, though California facilities would possibly already mainly be covered under the Industrial General Permit (IGP); Jonathan Bishop of the State Water Board indicated the final version of the IGP is coming out soon, possibly in March. Bishop also noted that the statewide trash policy is still moving forward and will allow for two paths: 1) all full capture or 2) a combination of trash controls as in the S.F. Bay Area; CASQA revamped its web site, which includes a revised system for providing contacts for areawide memberships and web portal subscriptions. Matt will send out an email to agencies with more details.

A Regional Water Board trash workshop was held in November and continued in December. Matt sent a summary of the November meeting to the Stormwater Committee. One Regional Water Board member stated that he has no sympathy regarding funding shortfalls unless jurisdictions seek local support for funding initiatives and fail. Various Permittees gave overviews of various trash control approaches. Save the Bay supported the general BASMAA direction. Board member Terry Young continues to focus on how to measure effectiveness, and municipalities need to document in their Annual Reports what they have done to meet the goal of 40% reduction by July 1, 2014. The emphasis should be on new actions implemented since the MRP adoption date.

**2. PUBLIC COMMENT ON ITEMS NOT ON THE AGENDA:** None.

**3. APPROVAL OF MINUTES FROM PREVIOUS MEETING -** The October minutes were adopted as written.

**4. REGULAR AGENDA**

**A. INFORMATION – MUNICIPAL REGIONAL PERMIT REISSUANCE:** Staff provided an update on the ongoing process for the Regional Water Board to reissue the Municipal Regional Permit (MRP). The MRP 2.0 Steering Committee that has been convened through the Bay Area Stormwater Management Agencies Association to discuss high priority reissuance issues. The Steering Committee met in November and focused on a progress report from the MRP 2.0 Pollutants of Concern Workgroup, including how to move forward with gathering new PCBs/mercury data that would inform associated MRP 2.0 provisions. The MRP 2.0 Green Street Workgroup met January 6 and included some people who are very knowledgeable about transportation projects and funding. MRP 1.0 required 10 Green Street pilots but MRP 2.0 may include a bigger picture approach and vision including integration of multiple drivers, benefits and funding sources such as transportation projects. Municipalities want to maintain the C.3 exemption for road construction. The Green Streets Workgroup will continue to meet through at least June when the Report of Waste Discharge (ROWD) permit renewal application is due. The next Steering Committee meeting is scheduled for February. Topics will include continued discussion of PCBs/mercury and potable water discharge requirements. The latter only affect



municipalities that are water purveyors (about half of the agencies in San Mateo County). A new general permit under development would result in a new permit fee and could be onerous relative to the current requirements in Provision C.15 of the MRP.

**B. INFORMATION – UPDATE ON POTENTIAL COUNTYWIDE FUNDING INITIATIVE:** Staff provided a summary of the current status of the potential countywide funding initiative. Enabling legislation for C/CAG to sponsor a countywide initiative passed out of committee at a recent hearing and will move forward to the senate floor. The bill includes an urgency clause that requires 2/3 support in both houses but would go into effect immediately upon signature by the governor. Support letters from each jurisdiction would be helpful and Matt has sent out a template. A mailed survey is still planned for late March, and municipalities are still reviewing and commenting on the draft Funding Needs Analysis. Staff is planning individual meetings with upper-level staff and C/CAG Board members from each municipality to discuss the potential initiative. Michelle Daher of East Palo Alto noted the need to cleanup how various fees are currently used by making sure they are used for their earmarked purposes. In addition, the group had some discussion about competing initiatives.

**C. INFORMATION – PRESENTATION ON INTEGRATED MONITORING REPORT:** Jon Konnan with EOA gave a presentation on the Integrated Monitoring Report (IMR), which is divided into three parts. Part A, Creek Water Quality Monitoring (MRP Provision C.8), will include a comprehensive analysis of water quality monitoring associated with creek status, trends, and stressors/sources. Part B, Mercury and PCB Loads Avoided and Reduced via Stormwater Control Measures, provides a summary of mercury and PCB stormwater BMPs, including pilot studies conducted under MRP provisions C.11 and C.12 and calculations of pollutant loads avoided/reduced. Part C, Future POC Load Reduction Opportunities, will include identification of implementation scenarios for mercury and PCB load reduction from MS4s and associated costs and benefits. Jon noted that SMCWPPP should form a new PCB/mercury workgroup so that Program staff can work with staff from municipalities with substantial old industrial land uses to identify new PCB/mercury “high opportunity” areas. The process will be somewhat similar to what has been done for trash. Other Bay Area stormwater programs are convening similar PCB/mercury workgroups. It was noted that the future PCB/mercury costs projected in IMR Part C will be used in the funding initiative Needs Analysis report.

**D. INFORMATION – MRP COMPLIANCE OVERVIEW/QUARTERLY CHECK-IN:** Staff referred to the “MRP compliance quarterly check-in document” handout. This document highlights what should have been accomplished by municipalities during the previous quarter and what should be accomplished in the upcoming quarter. It is intended as a tool for informing municipal staff of major compliance tasks and associated dates, but it’s not necessarily comprehensive and shouldn’t be considered a substitute for the MRP itself. Staff noted that the document will also be distributed electronically and posted on the password-protected portion of SMCWPPP’s website ([www.flowstobay.org](http://www.flowstobay.org)).

**E. INFORMATION – OTHER ISSUES, SUBCOMMITTEE UPDATES:** Fernando Bravo with Menlo Park asked if municipalities are taking their long-term trash control plans to council. Some agencies reported they are not, others are as an information item, and in some cases after the submittal date. Staff also referred to another handout: the “monthly digest.” This document provides 1) the dates/locations of upcoming SMCWPPP subcommittee/workgroup meetings and workshops and 2) recent meeting minutes. It will also be distributed electronically.

**5. NEXT MEETING -** The next meeting is scheduled for April 15, 2014 at the usual location: the Oak Room in the City of San Mateo Main Library.

**MEETING ADJOURNED**

# C/CAG AGENDA REPORT

**Date:** April 15, 2014  
**Item:** 4A  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Municipal Regional Permit Reissuance

## **SUMMARY**

Staff will summarize ongoing discussions with Regional Water Board staff regarding major issues to be addressed through the reissuance process.

## **BACKGROUND/DISCUSSION**

The Municipal Regional Permit (MRP) went into effect on December 1, 2009. As a National Pollutant Discharge Elimination System (NPDES) permit, it has a five-year term and expires on November 30, 2014. Regional Board staff has indicated its intent to pursue timely reissuance of the permit. Permittees are required to submit an application for reissuance, called a Report of Waste Discharge (ROWD), by the beginning of June, 2014.

The MRP was designed to require a variety of technical reports near the end of the permit term that would inform or become part of the ROWD. This includes the Integrated Monitoring Report, due March 2014, that will detail the results of all of the Provision C.8 Water Quality Monitoring activities as well as the pilot study efforts to address Mercury and PCBs under Provisions C.11 and C.12, the Feasibility and Pilot Green Streets Reports required under Provision C.3 (previously discussed under a separate agenda item), municipal Long-Term Trash Reduction Plans due February 2014, and other permit provisions requiring more detailed reporting in the 2013 annual reports.

The BASMAA-convened Steering Committee of Regional Water Board staff, countywide program managers from the MRP area, and select Permittee representatives from each county regulated by the MRP continues to meet to discuss key issues. In February, the Steering Committee continued its discussion of mercury and PCBs, discussed existing Provision C.15 requirements for planned potable water discharges and state/regional efforts to create a new general permit for all water utilities (both public and private), and initiated discussion on Provision C.8 monitoring requirements. In March, the Steering Committee received updates on efforts related to Provision C.3, including discussion of a comprehensive white paper addressing the various requirements, C.8 monitoring work group, and local agency discussions of the proposed C.11/C.12 planning process for further delineating high, moderate, and low opportunity areas.

As an outgrowth of the September Steering Committee meeting, a Green Streets workgroup was formed and met for the first time on January 6 to discuss issues associated with the existing MRP requirements related to green streets and roadway reconstruction, with follow-up meetings on February 25 and March 25 discussing various approaches to facilitating long-term green infrastructure master planning and implementation.

## **ATTACHMENTS**

February Steering Committee meeting minutes  
January and February Green Streets Workgroup meeting minutes

**MRP 2.0 Steering Committee Meeting Summary**  
**February 6, 2014**  
1:00 – 3:30 p.m.  
Water Board Offices, Oakland, 2<sup>nd</sup> Floor, Room 15

**I. Review Agenda, Introductions and Announcements**

Matt Fabry (BASMAA Chair, SMCWPPP) opened the meeting. Members introduced themselves and a sign-in sheet was passed around (Attachment 1). There were no changes to the agenda or announcements.

**II. Summary of Progress on Action Items from Previous Meetings**

Jill Bicknell (SCVURPPP/EOA, BASMAA Development Committee Chair) gave an update on the progress on C.3 issues at recent Development Committee meetings. The January meeting was attended by Tom Mumley (Water Board AEO) and the approach discussed was that C.3 requirements should be in the context of our vision for implementation of LID on a watershed scale over the coming years. For example, if we consider that we will have 1000's of LID facilities in a substantial portion of our watersheds within the next decade, we can better prioritize future efforts. In this context, the Development Committee is moving towards consensus with Water Board staff on many of the main C.3 issues. The Committee understands Board staff's need to compile technical backup and justification for a consensus position, and the Committee has committed to prepare a white paper that will provide material that could be used in permit findings. Issues for which the white paper will provide technical backup and justification:

- Maintaining current regulated project thresholds, and integrating and clarifying requirements for non-regulated projects;
- Continuing allowance for use of non-LID facilities on "special projects" with minor revisions.
- Making alternative compliance more flexible by revising allowances and incentives for off-site compliance.
- Dropping feasibility tests for infiltration and harvesting/use before selection of bioretention.
- Updating hydromodification requirements to include a simple methodology for determining the appropriate low flow criteria and making them regionally consistent.
- Updating O&M requirements to better support our vision of widespread LID implementation.

Discussion:

- Tom Mumley pointed out that we do have some challenges:
  - Regulated project threshold – he has heard our analysis and is open to our approach but still needs us to provide adequate justification for the record. Water Board staff has concerns that the Phase II permit contains a 5,000 sq. ft. threshold for all types of projects. We can't just say the cost outweighs the benefit; we have to show that our approach provides net benefit. We need to look at a system-wide approach rather than a new development/redevelopment approach. This might be one area that might lend itself to a two-tiered approach: If you don't want to commit to an integrated program, here are the minimum requirements.
  - Removing LID feasibility analysis – this will also be a challenge to defend.
- Tom Dalziel (CCCWP) – Region 2 has been leader in implementing LID and we should be able to lead the way.

- Kathy Cote (City of Fremont) – Indicated that this is a resource issue.
- Dan Cloak (CCCWP/DCEC) – There seems to be a presumption that the MRP will contain the most stringent requirements (from other permits) in each area of C.3. We need to look at an integrated approach to C.3 that makes sense for the Bay area.
- Tom Mumley – Basically we agree but we need to show high ground before we can claim high ground. NRDC did not activate its petition on MRP 1.0 but did activate a petition on the recently adopted Los Angeles permit.

Matt Fabry gave a brief summary of the Green Streets Work Group meeting on January 6 and the presentations made by Matt and Jill. The meeting summary and handouts were distributed to the Steering Committee. The next work group meeting is February 25 and topics will include retrofit banking, approaches to engaging transportation agencies, and the Prop 84 project “GreenPlan Bay Area”.

### **III. Continued Discussion on Pollutants of Concern – Mercury and PCBs Topics**

#### **A. Review Refinements to PCB/Hg MRP 2.0 Framework**

Jon Konnan (SMCWPPP/EOA) explained the handout developed by the POC Work Group that describes an implementation approach for PCBs and mercury, which includes

- Schedule for near-term planning tasks (over the next 18 months) is developed in consideration of the following two tentative milestones:
  - Feb. 2015 – Tentative Order released for public comment (about a year from now)
  - July 1, 2015 – Tentative effective date for MRP 2.0
- Jon described three parallel implementation tracks summarized in the handout. The tracks are based on the level of contributions of PCB/mercury to the Bay:
  - Existing pilot watersheds
  - New high opportunity areas – within old industrial areas, higher pollutant yields, and BMPS most cost-effective, but unfortunately only small part of overall load to Bay.
  - Moderate opportunity areas – all old urban and some old industrial areas, moderate pollutant yields, and BMPS less cost-effective, but the majority of overall loading to Bay is from these areas so should be addressed opportunistically via integration with infrastructure improvements (e.g., green street retrofits, transportation projects).

Jon noted that BASMAA and Regional Water Board staff on the POC Work Group generally agree that the next steps shown in the 18-month schedule make sense but the schedule was requested by RWB staff and could be very challenging.

#### **Discussion:**

- Rinta Perkins (City of Walnut Creek) - Concerned that there is no cap on the number of new areas that may be required for implementation actions; there has to be a prioritization. Tom Mumley – We know where the high opportunities are located. We need to estimate based on the current knowledge we have and see how many areas we can implement control measures in with available resources. We need to work together to determine optimum numbers for overall watershed benefit.
- Jon Konnan – Indicated that we do not clearly know where the new high opportunity sites are located. We are already addressing the known hot spots in MRP 1.0.



- Khalil Abu-Saba (AMEC/CCCWP) – Stated that we are doing our due diligence to look for additional sites but we know that dealing with high opportunity sites will only solve a small part of the problem as defined by the TMDLs.
- Tom Mumley – It is a combination of focusing resources where there may be benefit, balanced with where are we actually able to do something. The latter will drive the prioritization.
- Khalil – Example: in Richmond, we identified 10 candidate sites based on desktop analysis, then through field sampling, identified two of the 10 that had relatively high concentrations of PCBs.
- Jon – The moderate opportunity areas track addresses the urban sites for which PCBs are more spread out in low concentrations with a long term watershed master planning process taking advantage of multiple drivers and funding sources (alignment with green streets master planning, transportation projects, etc.).
- Melody Tovar (City of Sunnyvale) – What are the benefits of what we’ve been doing already with LID? Khalil – EOA/Geosyntec did analysis of reductions from current green street projects and the calculated benefit was very small. Tom – Information on the benefits of C.3 required projects will need to be collected and analyzed, but acknowledges that the benefit is very likely to be very small. The question is, what is the Permittees’ real commitment to the long term?
- Chris Sommers (SCVURPPP/EOA) – Suggested that there is value in mapping opportunity areas and existing LID implementation. All control measures and associated benefits should be identified.
- Kathy Cote – How do the categories discussed at the last meeting (i.e., old industrial, old urban and new urban) fit into the new tracks? Jon/Tom – High opportunity areas are those old industrial areas with the highest levels of loading per unit area. Moderate opportunity areas are any old industrial and other old urban areas with moderate levels of loading per unit area. Roger Lee (City of Cupertino) – residential areas that are urban should be considered low opportunity. Tom and Khalil agreed.
- Melody – How does the referral process work? Khalil – Permit says hot spots can be referred to Water Board for enforcement. BASMAA helped define process for MS4s to submit referrals. This is also addressed in the IMR. Melody – Aren’t some of these sites covered by the Industrial General Permit? Chris – Yes, but the current IGP is fairly general and not industry or pollutant specific. Tom – Water Board staff are prepared to take action where appropriate, but need to find a “smoking gun” and responsible party. Chris – Based on our experience to-date, in the future there will likely be few opportunities to identify sources on properties, so it is likely that to reduce PCBs and mercury to the level identified in the TMDLs, moderate areas will need to be addressed. Tom – Other efforts like street sweeping are going to make very little difference. If we know that these efforts are not going to reduce 20 kg of PCBs, what is due diligence and the required level of commitment, and over what timeframe? We will get challenged as to why we are not doing it the Southern California way (with watershed management plans).
- Tom – comments on proposed Water Board staff schedule included in the handout:
  - Schedule reflects timeline needed to have effective date of July 1, 2015;
  - Anything with June 2015 date are initial requirements of MRP 2.0;
  - Permittees need to figure out what they need to do and to know in order to be able to respond to Tentative Order in February;
  - Consider how we specify things in the permit in order to agree on the concepts and intentions to the Permittees and other interests.

- Adam Olivieri (SCVURPPP/EOA) – We need to consider time, dollars, and targets. We need to look at whether these are the right targets for load reduction. Tom -- Agrees that we can adjust the targets to be more realistic. Jon – We can reevaluate the targets with better modeling and recent data. Adam – We should be looking at modifying the TMDL in parallel with other efforts as well as keeping a clear record of discussions and agreement on what needs modification and why – don’t want to lose information. Tom – TMDL has a 10-year check point that coincides with the end of MRP 2.0. A substantial amount of RMP resources have been used to supplement Permittees’ efforts in data collection – we need to consider sustainability.
- Tom – asked SC to respond to POC tasks and schedule. Matt – need to look at resources available now vs. putting future resources on the table. Tom Dalziel – thinks Contra Costa Permittees will have difficulty coming up with the resources in the next 6 months. Jim Scanlin (ACCWP) – what is “expected implementation plan content”? Tom hopes POC Work Group will define soon.
- Matt – would NRDC support the concept of shifting LID requirements of development projects to some place offsite in higher priority areas for removing POCs? Tom – this ties into what is expected in watershed master plans.

#### **IV. Update on C.8 Water Quality Monitoring Workgroup**

Chris Sommers (SCVURPPP/EOA) explained that the goal of the work group is to optimize use of resources and reduce costs of future monitoring efforts. At the first meeting on December 19, the work group discussed existing requirements and brainstormed which requirements could be improved or eliminated based on the value of the data being collected. Tomorrow’s meeting will cover creek status monitoring. In a subsequent meeting, the work group will discuss monitoring projects and where to go with POC loads monitoring, including how to utilize these resources to assist Permittees in collecting data needed to identify high and moderate opportunity areas.

Discussion:

- Tom challenged the group to consider how they are using the data to manage stormwater programs. The group should challenge Water Board staff to say what information is lost by giving up an element of monitoring.

#### **V. Initiate Discussion on C.15 Conditionally Exempted Discharges**

- The Steering Committee reviewed the status of the proposed potable water discharge permit.
- Tom – Explained that there are not two efforts; there will either be a statewide permit or Region 2 permit but not both. There has been interest in a multi-region permit, but there are some issues with that, so Region 2 has been moving forward with its permit for potable water discharges. If a statewide permit is developed, it will be available for regions to use as they choose, including incorporating into MS4 permits. The fate of current MRP requirements is “to be determined”. They will have to be equivalent requirements. His preference is to put all under one general permit, but the disadvantage is putting so much into one permit. They are making substantial changes to make the provision practical and not have unintended consequences. One consideration – there will be one numeric effluent limit (NEL) for chlorine residual and would have to craft the MRP around this. One question is how to implement a chlorine residual NEL simply and accurately with field-level measurements. The chlorine residual NEL will be at a reasonably high level given the limitations in field measurement methodology.
- Melody – What is the timing for this?

- Tom – 3-6 months. If it is a Region 2 permit, they would probably send out a public notice within the month, to start a 3-month process for adoption. A statewide permit would add 3 months to the schedule. In Region 4, there is concern as to whether the permit would be consistent with the Ocean Plan. (The Region 4 permit allows all dischargers to be covered by the MS4 permit; the MRP only covers MS4s so other water purveyors are not currently covered by a permit). MS4s in the Bay area would be covered by the current MRP at least until it expired (and could be administratively extended). By December 1, we will know whether these requirements will be in the MRP or not, because MRP 1.0 will be administratively extended as needed at that time.
- Adam – We as Permittees need to make two arguments: 1) why MS4 Permittees want to keep the requirements in the MRP; and 2) the need to address technical arguments on the same timeframe with other non-MS4 water utility stakeholders.
- Randy Breault (Brisbane) – What will be opportunities for input on technical issues? Concerns about regulation of small discharges. Tom – Recognizes they need to do a better job of outreach and involving all stakeholders. In Region 2, they have formed a work group of mainly water districts but have not had broader participation.
- Matt – Why do we need additional regulation? We have not heard what is wrong with the current requirements.
- Dale Bowyer (Water Board) – Feels that MS4s have been regulated loosely, and doesn't want two sets of permits. Feels these are not stormwater discharges, these are "wastewater" discharges and toxic to creeks. This is a wastewater treatment effluent limit.
- Tom – There is no specific problem with current requirements. Bottom line is: are the right things being done at the right time? His intention is that the new requirements will not be more burdensome to Permittees than the current ones in the MRP – same BMPs, monitoring and reporting. They are going down the path of eliminating the short duration, low volume discharges.
- Adam – If you consider potable water releases similar to a wastewater NEL, will dischargers be subject to mandatory minimum penalties? Tom – yes. Geoff – Where would the NEL be enforced? Tom – To be determined. The permit could allow for the point of compliance to be the point of discharge to the receiving waters.

## VI. Next Steps

- Action Items
  - At March 6<sup>th</sup> meeting, Permittees to respond to Water Board staff on tasks and schedule for defining PCB/mercury opportunity areas included in meeting hand out.
- Next meetings – The SC agreed on the following dates for future meetings (same time and place):
  - March 6
  - May 1
  - June 5 (instead of July 3)
- Topics for March 6 meeting:
  - Detailed discussion of progress on C.3 issues
  - Update on Green Streets Work Group
  - Update on C.8 Work Group
  - Continuing discussion on POCs – response of Permittees to schedule

- Initiate dialog on remaining MRP issues

Attachments:

- 1- Attendance Sheet and Agenda
- 2- MRP 2.0 POC Workgroup Mercury/PCBs Near-term Planning Tasks and Schedule

*Draft AGENDA*

**MRP 2.0 Steering Committee (SC) Meeting**

**February 6, 2014**

**1:00 to 3:30 pm**

Water Board Offices, Oakland, 2<sup>nd</sup> Floor Room 15

1:00 pm

**I. Review Agenda, Introductions & Announcements**

*Outcome – introduction of key MRP Permittee, Regional Water Board, and stormwater program representatives; any modifications to draft agenda; announcements.*

1:15 pm

**II. Summary of Progress on Action Items from Previous Meeting(s)**

*Outcome – receive update from BASMAA Committee or work groups on action items, areas of agreement/disagreement, and next steps.*

A. C.3 Items – *Status of discussions with Water Board staff on regulated project thresholds, LID feasibility criteria, Special Projects, and treatment measure inspections, and report from Green Streets Work Group.*

1:45 pm

**III. Continue Discussion on Pollutants of Concern – Mercury & PCBs Topics**

A. Review Refinements to PCB/Hg MRP 2.0 Framework – *update on POC Work Group concepts for organizing MRP 2.0, remaining issues and information gaps.*

B. Potential Next Steps – *update on suggestions and potential timeframes for implementation planning and data gathering.*

*Outcome – clarify expectations regarding roles of Programs and individual Permittees in gathering new data to inform MRP 2.0 and anticipated resources needed from Programs (e.g., staff for facilitation and desktop mapping and contractors for monitoring) and Permittees (e.g., staff resources to work with Program staff). Clarify anticipated schedule.*

2:30 pm

**IV. Update on C.8 Water Quality Monitoring Workgroup**

*Outcome – receive update on initial meeting of workgroup, summary of major concepts discussed, and next steps.*

2:50 pm

**V. Initiate Discussion on C.15 Conditionally Exempted Discharges**

*Outcome – review status of proposed State Water Board Drinking Water Discharge Permit and Region 2 efforts and initiate discussion on relationship to requirements in C.15.*

3:15 pm

**VI. Next Steps**

3:30 pm

**VII. Adjourn**



## MRP 2.0 Steering Committee Attendance Sheet

| Name              | Agency               | Email  | 11-Jul | 5-Sep | 7-Nov | 6-Feb | 6-Mar |
|-------------------|----------------------|--|--------|-------|-------|-------|-------|
| Adam Olivieri     | SCVURPPP             | <a href="mailto:awo@eoainc.com">awo@eoainc.com</a>                               | X      | X     | X     | X     |       |
| Adele Ho          | City of San Pablo    | <a href="mailto:adeleh@sanpablo.gov">adeleh@sanpablo.gov</a>                     | X      | X     | X     |       |       |
| Andrew Russell    | Dublin               | <a href="mailto:Andrew.russell@dublin.ca.gov">Andrew.russell@dublin.ca.gov</a>   | X      | X     |       | X     |       |
| Brad Underwood    | Foster City          | <a href="mailto:bunderwood@fostercity.org">bunderwood@fostercity.org</a>         | X      |       | X     | X     |       |
| Chris Sommers     | SCVURPPP (EOA)       | <a href="mailto:csommers@eoainc.com">csommers@eoainc.com</a>                     | X      | X     |       | X     |       |
| Dale Bowyer       | Water Board          | <a href="mailto:dbowyer@waterborads.ca.gov">dbowyer@waterborads.ca.gov</a>       | X      | X     | X     | X     |       |
| Dan Cloak         | CCCWP                | <a href="mailto:dan@dancloak.com">dan@dancloak.com</a>                           | X      | X     | X     | X     |       |
| David Mathews     | SCVWD                | <a href="mailto:dmathews@valley.water.org">dmathews@valley.water.org</a>         |        |       |       | X     |       |
| Feliz Riesenber   | City of Fairfield    | <a href="mailto:friensenberg@fairfield.ca.gov">friensenberg@fairfield.ca.gov</a> | X      |       |       | X     |       |
| Geoff Brosseau    | BASMAA               | <a href="mailto:geoff@brosseau.us">geoff@brosseau.us</a>                         | X      | X     | X     | X     |       |
| Heather Ballenger | City of Walnut Creek | <a href="mailto:Ballenger@walnut-creek.org">Ballenger@walnut-creek.org</a>       | X      | X     |       | X     |       |
| Jared Hart        | City of San Jose     | <a href="mailto:jared.hart@sanjoseca.gov">jared.hart@sanjoseca.gov</a>           |        |       | X     | X     |       |
| Jay Walter        | City of San Carlos   | <a href="mailto:jwalter@cityofsancarlos.org">jwalter@cityofsancarlos.org</a>     |        | X     |       |       |       |
| Jill Bicknell     | SCVURPPP (EOA)       | <a href="mailto:jcbicknell@eoainc.com">jcbicknell@eoainc.com</a>                 | X      | X     | X     | X     |       |
| Jim Porter        | San Mateo Co.        | <a href="mailto:jporter@smcgov.org">jporter@smcgov.org</a>                       | X      |       | X     | X     |       |
| Jim Scanlin       | ACCWP                | <a href="mailto:jims@acpwa.org">jims@acpwa.org</a>                               | X      | X     | X     | X     |       |
| Joe Calabrigo     | Town of Danville     | <a href="mailto:calabrigo@danville.ca.gov">calabrigo@danville.ca.gov</a>         | X      | X     | X     | X     |       |
| Jon Konnan        | SMCWPPP              | <a href="mailto:jkonnan@eoainc.com">jkonnan@eoainc.com</a>                       | X      |       | X     | X     |       |
| Kathy Cote        | City of Fremont      | <a href="mailto:kcote@fremont.gov">kcote@fremont.gov</a>                         | X      | X     | X     | X     |       |
| Kevin Cullen      | FSURMP               | <a href="mailto:Kcullen@fssd.com">Kcullen@fssd.com</a>                           |        | X     |       | X     |       |
| Khalil Abusaba    | AMEC/CCCWP           | <a href="mailto:khalil.abusaba@amec.com">khalil.abusaba@amec.com</a>             |        | X     | X     | X     |       |
| Lance Barnett     | VSFCD                | <a href="mailto:lbarnett@vsfcd.com">lbarnett@vsfcd.com</a>                       | X      |       |       |       |       |
| Larry Patterson   | City of San Mateo    | <a href="mailto:lpatterson@cityofsanmateo.org">lpatterson@cityofsanmateo.org</a> | X      | X     | X     |       |       |
| Matt Fabry        | SMCWPPP              | <a href="mailto:mfabry@smcgov.org">mfabry@smcgov.org</a>                         | X      | X     | X     | X     |       |
| Melody Tovar      | City of Sunnyvale    | <a href="mailto:mtovar@sunnyvale.ca.gov">mtovar@sunnyvale.ca.gov</a>             | X      | X     | X     | X     |       |
| Miki Tsubota      | City of Brentwood    | <a href="mailto:mtsubota@brentwoodca.gov">mtsubota@brentwoodca.gov</a>           | X      | X     | X     |       |       |
| Napp Fukuda       | City of San Jose     | <a href="mailto:napp.fukuda@sanjose.ca.gov">napp.fukuda@sanjose.ca.gov</a>       | X      | X     |       | X     |       |
| Paul Willis       | Town of Hillsborough | <a href="mailto:pwillis@hillsborough.net">pwillis@hillsborough.net</a>           |        | X     | X     |       |       |
| Randy Breault     | City of Brisbane     | <a href="mailto:rbreault@ci.brisbane.ca.us">rbreault@ci.brisbane.ca.us</a>       |        |       |       | x     |       |
| Richard Looker    | Water Board          | <a href="mailto:rlooker@waterboards.ca.gov">rlooker@waterboards.ca.gov</a>       |        | X     | X     | X     |       |
| Rinta Perkins     | City of Walnut Creek | <a href="mailto:perkins@walnut-creek.org">perkins@walnut-creek.org</a>           | X      | X     |       | X     |       |
| Roger Lee         | City of Cupertino    | <a href="mailto:rogerl@cupertino.org">rogerl@cupertino.org</a>                   |        |       | X     | X     |       |
| Sandy Chang       | AMEC                 | <a href="mailto:sandy.chang@amec.com">sandy.chang@amec.com</a>                   |        |       | X     | X     |       |
| Sandy Mathews     | LWA/San Mateo        | <a href="mailto:sandym@lwa.com">sandym@lwa.com</a>                               |        |       |       |       |       |

## MRP 2.0 Steering Committee Attendance Sheet

|               |                   |  |   |   |   |   |  |
|---------------|-------------------|--|---|---|---|---|--|
| Selina Louie  | Water Board       | <a href="mailto:slouie@waterboards.ca.gov">slouie@waterboards.ca.gov</a>   | X | X |   |   |  |
| Shin-Roei Lee | Water Board       | <a href="mailto:srlee@waterboards.ca.gov">srlee@waterboards.ca.gov</a>     | X |   | X |   |  |
| Sue Ma        | Water Board       | <a href="mailto:SMa@waterboards.ca.gov">SMa@waterboards.ca.gov</a>         | X |   |   |   |  |
| Timm Borden   | City of Cupertino | <a href="mailto:timmb@cupertino.org">timmb@cupertino.org</a>               | X | X | X | X |  |
| Tom Dalziel   | CCCWP             | <a href="mailto:Tdalz@pw.cccounty.us">Tdalz@pw.cccounty.us</a>             | X | X | X | X |  |
| Tom Mumley    | Water Board       | <a href="mailto:tmumley@waterboards.ca.gov">tmumley@waterboards.ca.gov</a> | X | X | X | X |  |

## MRP 2.0 POC Workgroup - Mercury/PCBs Near-term Planning Tasks and Schedule

The MRP 2.0 Pollutants of Concern (POC) Workgroup has identified three separate but parallel and related tracks relative to Provision C.11/12 (mercury/PCBs controls) permit reissuance:<sup>1</sup>

1. **Existing pilot watersheds** - refine and enhance implementation planning for known high opportunity areas within five “pilot” mercury/PCB watersheds where pilot-scale control measure implementation began during MRP 1.0. Continue planning and implementing controls resulting in further load reductions (i.e., “focused implementation”). This implementation planning should remain ahead of new high opportunity areas identified during the process outlined below (see Track No.2). The RWB staff suggested schedule for planning and implementation for existing pilot watersheds includes:
  - June 2014 - preliminary plans submitted to RWB staff for focused implementation in each pilot watershed, incorporating MRP 1.0 pilot results as available.
  - December 2014 - focused implementation plans for each pilot watershed completed. Plans should show commitment to significant actions, be adequately robust, and include clear milestones that can be tracked.
  - February 2015 – MRP 2.0 Tentative Order (TO) which is informed by above final plans for each watershed is released for public comment. The TO will propose load reduction requirements and will require focused implementation in existing pilot watersheds to begin immediately.<sup>2</sup>
2. **New high opportunity areas** - identify new “high opportunity” mercury/PCB management areas most likely within old industrial areas (outside of pilot watersheds) and plan for focused implementation to be initiated during the upcoming permit term. The RWB staff suggested schedule for planning and implementation for new high opportunity areas includes:
  - June 2014 - develop preliminary list and maps of high opportunity areas.
  - December 2014 - develop refined short list and maps of new high opportunity areas.
  - February 2015 - TO with load reduction requirements and expected implementation plan content and schedule for proposed new high opportunity areas is released for public comment.
  - June 2015 - implementation planning completed for new high opportunity areas.
3. **Moderate opportunity areas** - identify process for long-term “watershed master planning” for (1) funding and implementing green infrastructure retrofitting in “moderate opportunity” mercury/PCB areas and (2) adopting municipal ordinances to control PCB-containing caulk when non-single-family structures are renovated and demolished (this conceivably could be in the “high opportunity category as well). Consider opportunities for multiple drivers/benefits (e.g., green streets, trash controls, transportation projects, and redevelopment). Note nexus with Proposition 84 funded “Green Bay Area” project (pilots include City of San Mateo and San Jose). The RWB staff suggested schedule for planning and implementation for moderate opportunity areas includes:
  - June 2014 - develop preliminary list and maps of moderate opportunity areas.
  - December 2014 - develop refined short list and maps of moderate opportunity areas.
  - February 2015 - TO with load reduction requirements and expected implementation plan content and schedule for proposed moderate opportunity areas is released for public comment.
  - June 2015 - initial implementation planning completed for moderate opportunity areas.

<sup>1</sup>For additional background and information about various terms (e.g., focused implementation, pilot watersheds and high and moderate opportunity areas) see the Integrated Monitoring Reports, Parts B and C.

<sup>2</sup>For all three tracks, contents of MRP 2.0 Tentative Order proposed by RWB staff.

Table 1 presents further details regarding the proposed 18-month process (January 2014 – June 2015) to identify new high and moderate opportunity areas and the associated implementation planning (Tracks 2 and 3 above). The framework divides the 18 months into three 6-month periods and provides a rough outline of the suggested schedule and tasks for Bay Area Phase I Stormwater Programs and Permittees. Notes regarding Table 1:

- The schedule may vary among Programs and Permittees by plus or minus two months. For example, some programs may not begin initiating the “windshield surveys” until July or August of 2014.
- The 18-month process would be completed coincident with the estimated MRP 2.0 effective date (July 1, 2015); thus the timing of permit reissuance and this process should be further discussed.
- Windshield surveys are from public right-of-way and do not necessarily include facility inspections.
- Based on existing sediment data collected on streets and in the MS4, new high opportunity areas may not have as high of PCB loading rates as existing known high opportunity areas.
- It is currently unclear what role (if any) the Regional Watershed Spreadsheet Model (RWSM) might play in the process outlined to identify new high opportunity areas. As a first step, BASMAA staff needs to further review and evaluate the most recent draft RWSM report (dated December 2013).
- Redirecting of resources currently earmarked for POC loads monitoring via the STLS to partly or wholly fund monitoring associated with identifying high opportunity areas should be discussed.
- Nexus with resources available in the 2015 RMP budget that are associated with STLS activities should be discussed. Preliminary ideas for use of resources (consistent with SPLWG discussion) include further testing of hypothesis that high opportunity areas identified via desktop work and sediment monitoring have high yields/loadings; and 2) to help further calibrate/validate RWSM or other models.

**Table 1.** Outline of proposed tasks and RWB staff suggested schedule for identifying new mercury/PCB high and moderate opportunity areas and associated implementation planning.

| Task Description (RWB Staff Suggested Schedule)   | Program Tasks  | Permittee Tasks  |
|---|--|--|
| <b>January – June 2014</b><br>Planning, desktop analysis and field screening.<br>Preliminary mapping. | <ul style="list-style-type: none"> <li>• Develop, refine and document process for identifying new high opportunity and moderate opportunity areas.</li> <li>• Identify relevant Permittees and staff that should be involved in implementation of the process.</li> <li>• Identify resources needed and more detailed schedule for implementation of the process.</li> <li>• Complete IMR Part C, which includes cost-benefit scenarios for high and moderate opportunity areas.</li> <li>• Conduct records review and/or windshield surveys.</li> <li>• Complete desktop analysis and preliminary maps showing features such as potential source areas.</li> <li>• Work with Permittees to further ground truth maps.</li> <li>• Develop preliminary list and maps of new high and moderate opportunity areas.</li> <li>• Plan for monitoring data collection to further identify new high opportunity areas. Evaluate field screening techniques such as ELISA.</li> </ul> | <ul style="list-style-type: none"> <li>• Participate in workgroups facilitated by countywide programs.</li> <li>• Participate in or conduct windshield surveys.</li> <li>• Help ground truth maps and other data.</li> </ul> |
| <b>July – December 2014</b><br>Field monitoring and begin implementation planning. Refine mapping.    | <ul style="list-style-type: none"> <li>• Conduct sediment monitoring (possibly in conjunction with other field screening techniques such as ELISA) to identify new high opportunity areas.</li> <li>• Refine preliminary list and maps of new high and moderate opportunity areas as monitoring and other new data become available.</li> <li>• Possibly conduct reconnaissance level water monitoring during 2014/15 wet season.</li> <li>• Begin implementation planning for newly identified high and moderate opportunity areas.</li> </ul>  | <ul style="list-style-type: none"> <li>• Assist Programs with monitoring (e.g., selecting locations, access).</li> <li>• Work with Programs on implementation planning.</li> </ul>   |
| <b>January – June 2015</b><br>Complete mapping and implementation planning.                           | <ul style="list-style-type: none"> <li>• Refine high and moderate opportunity area maps. Use to inform February 2015 T.O.</li> <li>• Complete implementation planning for new high opportunity and initial planning for moderate opportunity areas.</li> </ul>   | <ul style="list-style-type: none"> <li>• Continue to work with Programs on mapping and implementation planning.</li> </ul>   |



**MRP 2.0 Steering Committee  
Green Streets Work Group Meeting  
January 6, 2014, 1:30-4:00 pm**

Water Board Offices, 1515 Clay Street, Oakland, 2<sup>nd</sup> Floor, Room 15

**Meeting Summary**

**I. Review Agenda & Introductions**

Participants introduced themselves. The attendance sheet is attached. There were no changes to the agenda.

**II. Background on Green Streets Requirements and Issues**

Matt Fabry (SMCWPPP) presented background information on green/sustainable street concepts, current MRP green street requirements and accomplishments, and a proposed “grand vision” and integrated approach for green street implementation and funding (see attached presentation).

Discussion:

- Current barriers to alternative compliance in the MRP: 1) offsite mitigation projects need to be in the same watershed; 2) timeframe for construction of the offsite mitigation project; and 3) emphasis on regional projects instead of local projects.
- Dan Cloak (consultant to Contra Costa Clean Water Program) – Success of current green street pilot projects was due to availability of grant funds and having a motivated project proponent. We need to elevate the interest in green streets to a higher level.
- Randy Iwasaki (Executive Director for the Contra Costa Transportation Authority) – Was involved with implementation of a “Director’s Directive” (DD-64 R1) for Complete Streets while at Caltrans. Suggested adding “Data” as a component of the proposed integrated approach – need data on costs, benefits, level of implementation, etc. in order to prioritize the approach. Need to push for incentivizing investments and eliminate/reduce match.
- Issue: do green street projects need to treat all runoff (i.e., street runoff plus runoff from private property) or just street runoff? Given the space available for green street features, it may not be possible to treat runoff from private property. Steve Spedowski (City of San Ramon) – some private property runoff goes to private inlets, thus bypassing the street. For many projects, it is cheaper to meet C.3 requirements onsite than do mitigation banking.
- Melody Tovar (City of Sunnyvale) – Green street funding also needs to include funding for operation and maintenance. It is hard to get ongoing O&M costs funded through grants. Steve Kowalewski (Contra Costa County) agreed that it is difficult to get O&M funding, particularly for landscape maintenance. The County currently funds maintenance via a gas tax, which has not increased since 1993. Dan suggested treating green street features like parks, and Steve replied that

the Parks Department also has limited funding and some areas may not have park districts. Peter Schultze-Allen (EOA, formerly City of Emeryville) – Need to determine the responsibility of adjacent landowners. In Emeryville, commercial businesses were required to maintain landscaping on street frontage. Sue Ma (Water Board) thought some grants allowed O&M efforts to be counted as in-kind matching funds.

- Obaid Khan (City of Dublin) – Plans should be developed at the local level to get buy-in. Funding should include incentives to build green streets. In Dublin, new streets are constructed as sustainable streets, but retrofits are more difficult. Need to educate and train transportation engineers and planners. Others agreed that “education and training” should be another component of the proposed integrated approach.
- Issue: How are transportation funds allocated and by what criteria, and is there any way to tweak the criteria to secure more funding for green streets? Randy – State and Federal programs do not include “bonus points” for incorporating green street features in transportation projects. STP Federal dollars which can be used to match federal dollars are used by local agencies for road repair. A future sales tax measure could include an allocation for water quality. Tom Mumley (Water Board) – just rearranging transportation funding is not going to be enough. Randy – The California Alliance for Jobs and Transportation California is trying to increase the State vehicle license fee by 1%; he will see if there is an opportunity to support that effort. (He noted that an increase of the license fee by 1% generates about \$3 billion/year.) They just announced that they will postpone placing it on the 2014 ballot.

### **III. Purpose and Plan for Green Streets Work Group**

Jill Bicknell (SCVURPPP) presented information on the background and purpose of the Green Streets Work Group. The MRP 2.0 Steering Committee formed the Work Group to discuss approaches to long term green infrastructure planning and funding, integration with transportation planning and funding, and identify reasonable short term actions to incorporate into MRP 2.0.

Discussion of approach and potential short term actions:

- Dan – suggested using the current language in MRP Provision C.9 as a model for tasks to track and participate in activities of key agencies to coordinate their efforts with water quality, in addition to local tasks. Randy – added the need to better track and influence Federal funding.
- An important short term item is getting political support (another component of the integrated approach). Randy – in order to sell the green streets concept to the community, need to quantify the benefits. Tom – suggested a short term action item should be to compile data on successes and costs (either before permit adoption or within MRP 2.0). It was also suggested that the costs of integrating green streets into complete streets vs. retrofitting later should be estimated.

- Tom – suggested a potential two-track approach to green street requirements in MRP 2.0: either participate in the process (i.e., participate in regional collaborative activities and develop a local long-term green streets plan) or implement C.3 requirements on all projects (including road reconstruction).

#### **IV. Involvement of Other Agencies and Organizations**

Jill led a discussion of how to involve outside agencies and organizations:

- Randy – MTC is a key partner because it controls transportation funding in the Bay region. Amy Worth (Mayor of Orinda) is the current MTC Chair. SB 375 funding from the State is distributed through MTC to the municipalities. The recently adopted “Plan Bay Area” has a 3-year cycle for OBAG (One Bay Area Grant Program) funding, and discussions on the next plan will start in 2015. We need to educate the commissioners and develop a pitch for a line item for water quality funding. Obaid – added that the OBAG funding administered by MTC has the requirement that funding in Alameda County be allocated 70 % for Priority Development Areas (PDAs) and the remaining 30% for areas outside PDAs. Randy – In urban counties, the goal was 70% investment for projects that serve PDAs. In Contra Costa County, we achieved about 80%.
- Other agencies that may be important: BCDC (which is involved in planning for sea level rise) and Caltrans (which has its own permit requirements and incentives to help implement green streets).

#### **V. Next Steps/Next Meeting**

- Next meeting date – mid- to late-February (determine best date by poll)
- Topics for next meeting:
  - Retrofit banking
  - Approach to educating/engaging MTC
  - Presentation on Prop 84 grant-funded effort “GreenPlan Bay Area”

**MRP 2.0 Steering Committee  
Green Streets Work Group Meeting  
January 6, 2014**

**1:30 to 4:00 pm**

Water Board Offices, Oakland, 2<sup>nd</sup> Floor, Room 15

**AGENDA**

- |         |  |
|---------|--|
| 1:30 pm | <b>I. Review Agenda &amp; Introductions</b><br><i>Outcome – identify MRP Co-permittee, Water Board, and stormwater program representatives and agree on agenda.</i>  |
| 1:45 pm | <b>II. Background on Green Streets Requirements and Issues</b><br><i>Outcome – review green street concepts, current MRP requirements and accomplishments, and funding issues, and understand the role of green infrastructure in future requirements.</i> |
| 2:15 pm | <b>III. Purpose and Plan for Green Streets Work Group</b><br><i>Outcome – Discuss and agree on the goals, strategies, tasks, and timeline for the Work Group, to address green infrastructure requirements in MRP 2.0.</i>                                 |
| 3:15 pm | <b>IV. Involvement of Other Agencies and Organizations</b><br><i>Outcome – Determine what outside agencies/organizations need to be involved in addressing green infrastructure issues and how/when to engage them in the process.</i>                     |
| 3:45 pm | <b>V. Next Steps/Next Meeting</b>  |
| 4:00 pm | <b>VI. Adjourn</b>   |

Green Streets Work Group  
January 6, 2014

## Green Streets and MRP 2.0 Where Do We Go From Here?

Matt Fabry, P.E.  
Program Manager  
San Mateo Countywide Water  
Pollution Prevention Program

Jill Bicknell, P.E.  
Assistant Program Manager  
Santa Clara Valley Urban Runoff  
Pollution Prevention Program



## Why Do We Care About Streets?

- Transportation Infrastructure
  - Significant amount of total impervious surface
  - Major source of “public” runoff
  - Unlikely to redevelop
  - Primary surface conveyance system for stormwater
  - Carries the bulk of pollutant loads
  - Publicly-owned and maintained



## How Do We Make Streets More Sustainable?

- Primarily through a combination of:
  - Green Streets – Capture & manage stormwater
  - Complete Streets – Enable/encourage all modes of travel
- But could also incorporate other features:
  - Recycled material
  - Reflective pavements
  - Water-efficient, pest-resistant landscapes
  - LED lighting, etc.



## Why Sustainable Streets?

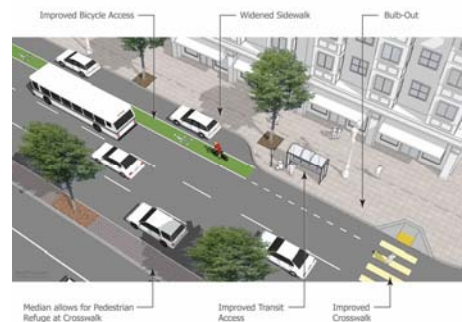
- Multi-benefit
  - Water quality and quantity benefits
  - Air quality/greenhouse gas reduction
  - Heat island mitigation
  - Traffic calming
  - Increase property values
  - Improve bike/pedestrian environment
  - Additional green space
  - Public education



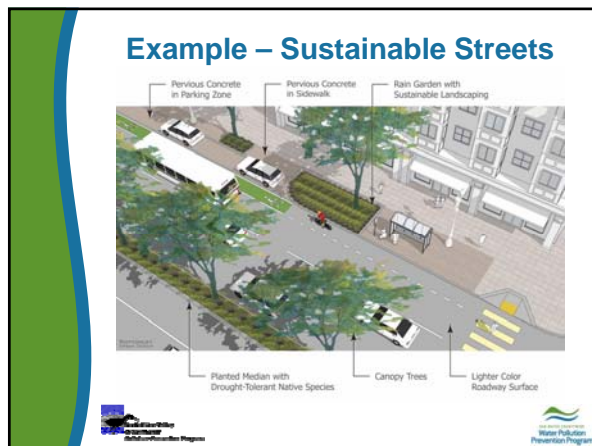
## Example – Existing Streets



## Example – Complete Streets







### MRP Green Street Requirements

- Per MRP C.3.b, Permittees required to:
  - Construct 10 pilot green street/parking lot projects within SF Bay region by 12/1/14
  - Conduct monitoring or modeling to show water quality benefits achieved
  - Report on any projects in their jurisdictions in annual reports
  - Collectively submit a summary of all projects completed by January 1, 2013 as part of FY 12-13 Annual Report

San Francisco Bay Area Regional Water Pollution Prevention Program

### Green Street Report Findings

- Ten projects substantially completed by 12/1/14 and ten other projects being funded/designed
- Most projects initiated prior to MRP
- Most projects partially funded by grants
- Need following elements:
  - Favorable topography
  - Space in right of way
  - No utility conflicts
  - Close connection to storm drain system

San Francisco Bay Area Regional Water Pollution Prevention Program

### Other MRP Linkages

- Provision C.3.e – Alternative or In-Lieu Compliance
  - Project proponents can provide LID treatment offsite, or
  - Pay in-lieu fees to regional project
    - Sustainable streets a potential solution, but permit language needs work to make it viable

San Francisco Bay Area Regional Water Pollution Prevention Program

### Other MRP Linkages

- Provisions C.10, C.11, & C.12 – Pollutants of Concern
  - Potential for trash capture
  - Treatment retrofits for mercury and PCBs
    - Example: Bransten Road green street in San Carlos

San Francisco Bay Area Regional Water Pollution Prevention Program

## MRP 2.0 – What Do We Know?

- Board staff needs to address existing green street and road reconstruction requirements in MRP 2.0
- Mercury/PCB efforts will likely require some level of distributed treatment retrofits
- Alternative compliance is a potentially valuable tool but currently underutilized
- Grant funding prioritizes green streets but not integrated with transportation funding process
- Green streets are a multi-benefit solution that integrates well into other municipal priorities
- Big need for funding, planning, and coordinated approach

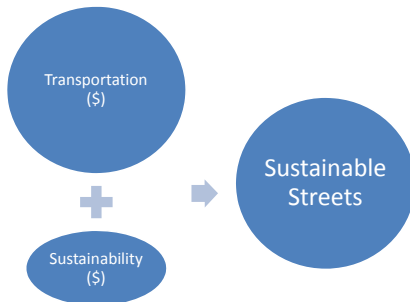


## Proposed “Grand Vision”

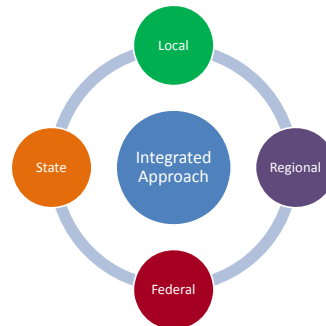
- Need to integrate sustainability issues with transportation programs
- Can't expect transportation funding to pay for water quality solutions
- Need to bring sustainability funding sources into transportation process
- Need local, regional, state, and federal efforts to make it work
- Large-scale planning efforts are needed
- Can't all be driven by MRP



## Big Picture - Funding



## Big Picture - Funding



## Local Issues

- Lack of planning and integration into other municipal activities
- Limited local funding streams
- Need cost-effective design and O&M
- No established banking programs
- Limited capacity to chase grants



## Regional Issues

- WQ isn't integrated with regional efforts
  - Regional Board not part of PlanBayArea
  - Water quality not in Sustainable Community Strategy
- Need to bring WQ funding into regional funding process
- PDA/SCS vs. water quality priorities?
- Support meaningful banking/alternative compliance approaches



## State Issues

- State transportation funding driven by air quality and greenhouse gas reductions
  - AB32 and SB375
- No dedicated sustainability/WQ funding stream
- WQ grant funds not integrated with transportation, but all seem to want LID solutions (e.g., Prop 84 SW, Urban Greening)
- Need to standardize retrofit approach via funding streams/programs/planning, then link through MRP requirements

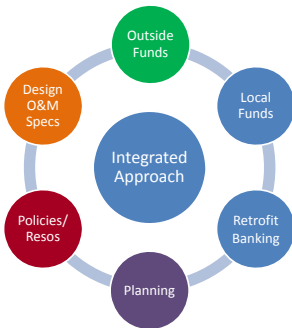


## Federal Issues

- No sustainability funding umbrella similar to transportation with formula distribution
- Need to establish sustainable streets as standard practice for multi-benefit solutions
- Need to standardize retrofit approach through funding streams



## Proposed Integrated Approach



## Green Streets Work Group

- MRP 2.0 Steering Committee 9/5/13
  - Discussed Provision C.3.b: Green Streets and Road Reconstruction Requirements
    - Permittees' desire to maintain exemption of road reconstruction projects from stormwater treatment requirements
    - Water Board staff's desire for additional green street and retrofit requirements
    - Consensus that short term actions need to be considered in context of long term plan
  - Direction to form work group to discuss options for permit requirements



## Green Streets Work Group

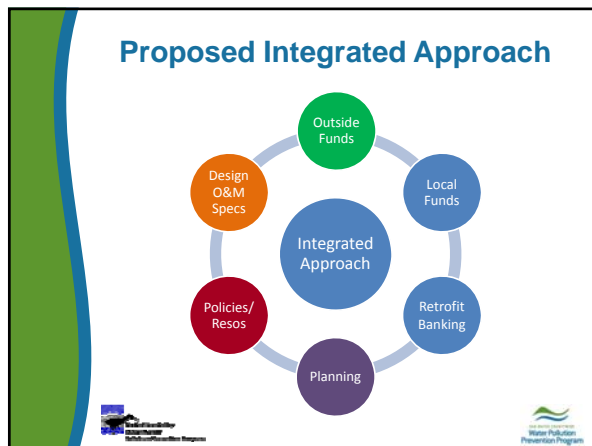
- Purpose:
  - Discuss approaches to long term planning for green infrastructure (GI)
  - Discuss integration of GI planning/funding with existing transportation planning/funding
  - Identify short term actions associated with long term planning that are reasonable for inclusion in MRP 2.0



## Green Streets Work Group

- Proposed Strategy:
  - Organize meetings around the 6 key components of the integrated approach
  - Invite other agencies as needed
  - Identify short term actions within each component
  - Develop proposed approach and/or permit language for review by Steering Committee

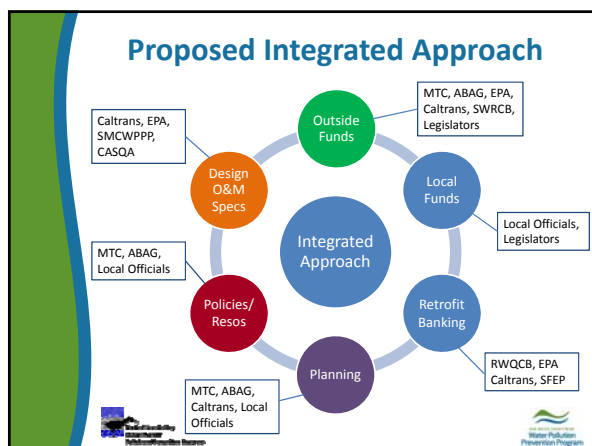




- ### Potential Short Term Actions
- What makes sense for next five years?
    - Retrofit Planning Efforts – link to Prop 84 “GreenPlan Bay Area”
    - Green Street Policies or Resolutions
    - Local Funding Options
    - Alternative Compliance/Banking Programs
    - Improve Design/Construction/O&M of Retrofit Projects
    - Work with outside funding sources

- ### Questions for Work Group
- Any other components of an integrated approach that we missed?
  - Questions/concerns about proposed approach?
  - Examples of implementation actions already in progress?
  - Potential barriers to success?

- ### Involvement of Other Agencies and Organizations
- Metropolitan Transportation Commission
  - Association of Bay Area Governments
  - Caltrans
  - State Water Resources Control Board?
  - Other State or regional agencies?
  - Environmental Protection Agency?
  - State and/or Federal Legislators?
  - Non-profit organizations?



- ### Questions for Work Group
- Any other agencies/organizations that should be involved?
  - Particular individuals from these agencies? (based on Work Group member contacts)
  - Approach/timeframe for engagement
  - Recent experience dealing with these agencies on related topics

## Next Steps

- Set meeting dates and topics
- Contact outside organizations
- Set milestones for completion of short term approach and/or draft language and presentation to Steering Committee
- Other action items?







GREEN  
RESERVE

The American Recovery and Reinvestment Act (ARRA), Green Reserve of 2009, through the State Revolving Fund, provides funding for a wide variety of qualifying projects in the categories of: *green infrastructure, energy efficiency, water efficiency, and other innovative projects*. For more information on ARRA, to find out if your current or future planned project meets the necessary criteria, and how to apply, visit [www.Recovery.gov](http://www.Recovery.gov).

A CONCEPTUAL GUIDE TO  
EFFECTIVE GREEN STREETS  
DESIGN SOLUTIONS

# Green Streets

Residential Streets  
Commercial Streets  
Arterial Streets  
Alleys



Green Street designs provide better environmental performance while creating attractive, safer environments.

*A Green Street  
is a street that uses  
natural processes  
to manage  
stormwater runoff  
at its source.*

Streets comprise a significant percentage of publicly owned land in most communities, and thus offer a unique opportunity to manage for environmental outcomes. A Green Street uses a natural systems approach to reduce stormwater flow, improve water quality, reduce urban heating, enhance pedestrian safety, reduce carbon footprints, and beautify neighborhoods.

Through various combinations of plants and soils, these objectives—and several others—can be met on different types of streets in many settings. Green Street features include vegetated curb extensions, sidewalk planters, landscaped medians, vegetated swales, permeable paving, and street trees. This guide provides an overview of different strategies that can be employed in transportation rights-of-way at the local or neighborhood scale.

# Residential Streets

STORMWATER CURB EXTENSIONS  
PERMEABLE PAVING  
VEGETATED SWALES

Residential streets offer the greatest potential for building Green Streets in new neighborhoods or retrofitting existing streets because the streets are typically slower, less trafficked, and likely to already have some landscape elements.

These days, it is fairly common for homes to have rain gardens incorporated into their landscaping to collect and store stormwater runoff from rooftops, driveways, and patios. "Rain garden" is the general term used to describe stormwater strategies that use plants and soils to filter, absorb, and slow rainwater on the landscape surface.

Similar types of rain gardens can take various forms within the street right-of-way itself—the edges of the street can be built to allow stormwater to flow into a landscape area, or space within the paved area of the street can be converted to landscape, increasing permeability. Additionally, permeable

paving that is durable, load-bearing, and built with an underlying reservoir can temporarily store water prior to infiltration.

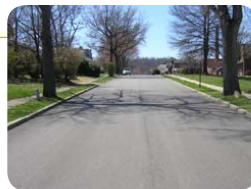
In new construction situations, Green Streets can be designed to handle significant volumes of water. In retrofit situations, they can typically handle all of the rain from small storms, while excess water from large storms can overflow into existing storm sewer systems.

*Rain gardens are beautiful landscape features that naturally filter runoff and require less maintenance than turf grass.*

## STORMWATER CURB EXTENSIONS

Conventional curb extensions (also known as curb bulb outs, chokers, or chicanes) have been used for decades to enhance pedestrian safety and help in traffic calming.

A stormwater curb extension simply incorporates a rain garden into which runoff flows.



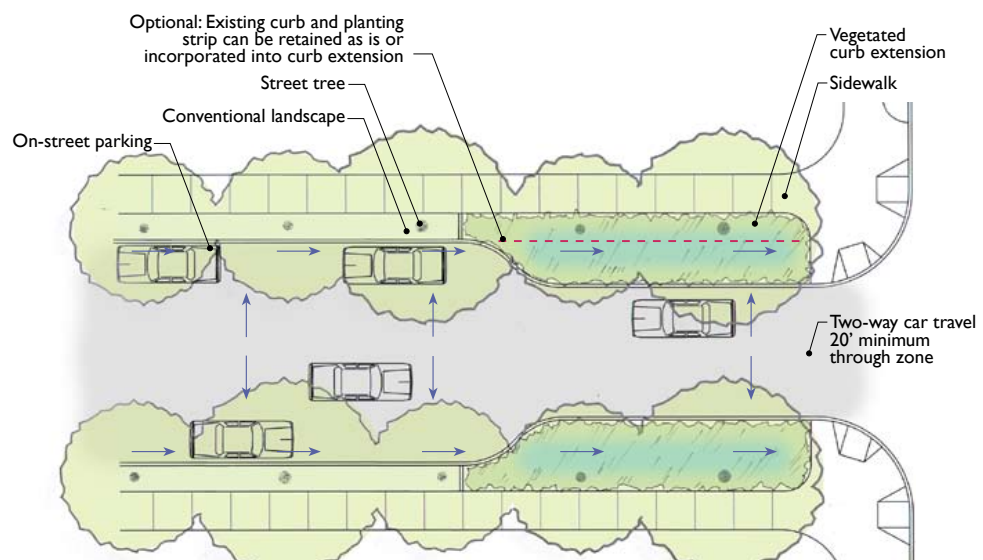
TYPICAL STREET



OPPORTUNITY



IMPLEMENTATION





## PERMEABLE PAVING

Permeable paving (pavers, or porous asphalt and pervious concrete) in the parking lane converts impervious surfaces to allow stormwater to absorb into the ground, which reduces the amount of runoff without any loss of parking on the street.

The aesthetics of permeable paving can also give the illusion of a narrower street and therefore help calm traffic.



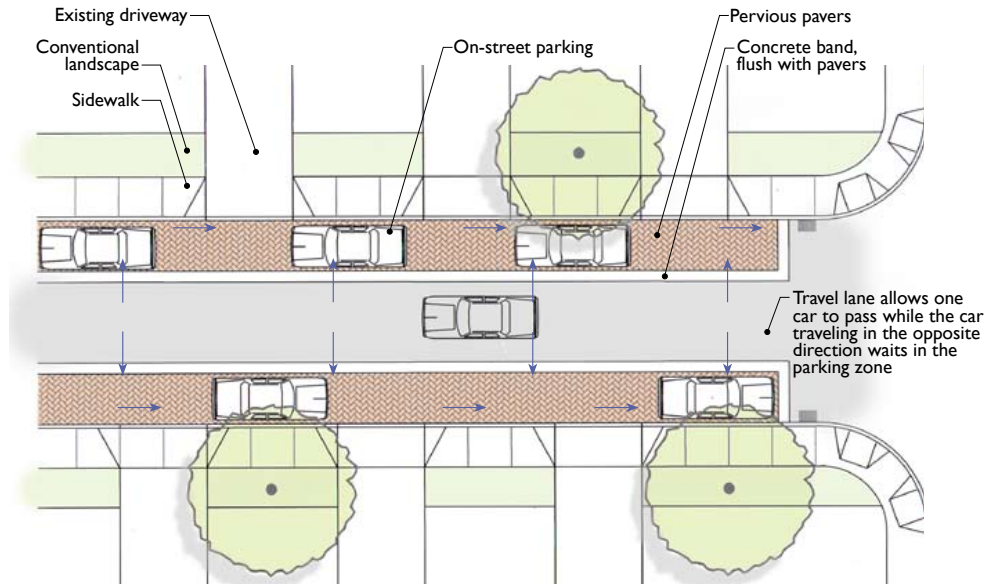
EXISTING



OPPORTUNITY



IMPLEMENTATION



## VEGETATED SWALES

Swales are long, shallow vegetated depressions, with a slight longitudinal slope. As water flows through the swale, it is slowed by the interaction with plants and soil, allowing sediments and pollutants to settle out. Water soaks into the soil and is taken up by plants, and may infiltrate further into the ground if the soil is well-drained.



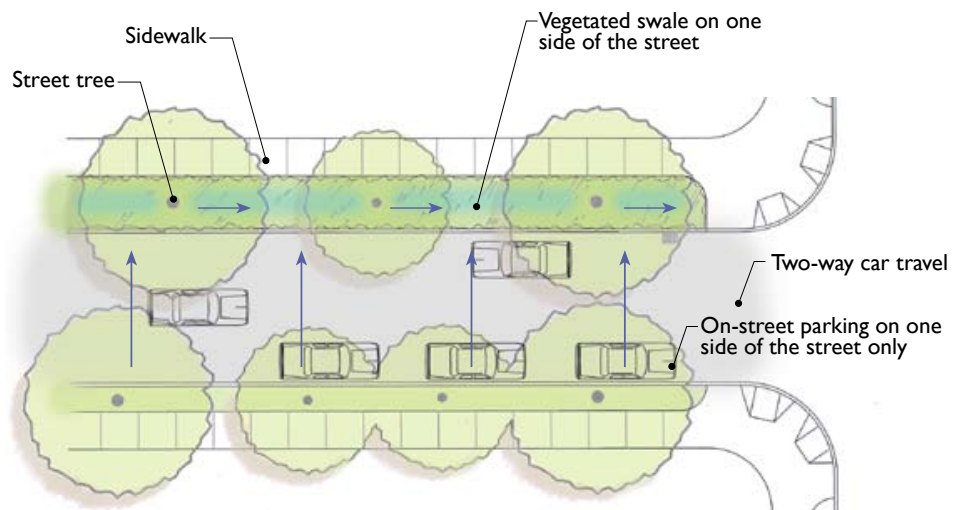
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OPPORTUNITY



IMPLEMENTATION



# Commercial Streets

STORMWATER PLANTERS  
STORMWATER CURB EXTENSIONS  
PERMEABLE PAVING

Commercial streets in most urban areas need to accommodate a wide range of users and uses including pedestrians, drivers, bikers, transit riders, on-street parking, outdoor seating, lighting, trees, etc. Because of all these demands, finding space to collect and manage stormwater can at first appear challenging. There are, however, several design options that towns and cities can consider when integrating stormwater management into even their most active streets.

The key is thinking creatively in finding space that can accommodate multiple purposes in one space, such as a street tree pit designed to collect runoff, or the curb extensions (also known as “pedestrian bulb outs”) at the corners designed to reducing crossing distances for pedestrians that can also contain a rain garden. These design options are more easily accommodated in new

streets where the location of underground utilities is considered from the start. More strategic design is necessary for streets with existing utilities. The pay-off of these efforts, though, is a more attractive, walkable street that considerably reduces polluted runoff.

*A community's identity is often most evident on its commercial streets. Green Street techniques not only achieve environmental goals but can greatly improve the look and feel of a community.*

## STORMWATER PLANTERS

Planters are long, narrow landscaped areas with vertical walls and flat bottoms, typically open to the underlying soil. They allow for more storage volume than a swale in less space.

Water flows into the planter, absorbs into the plants and topsoil, fills to a predetermined level, and then, if necessary, overflows into a storm sewer system. If desired, planters can accommodate street trees.



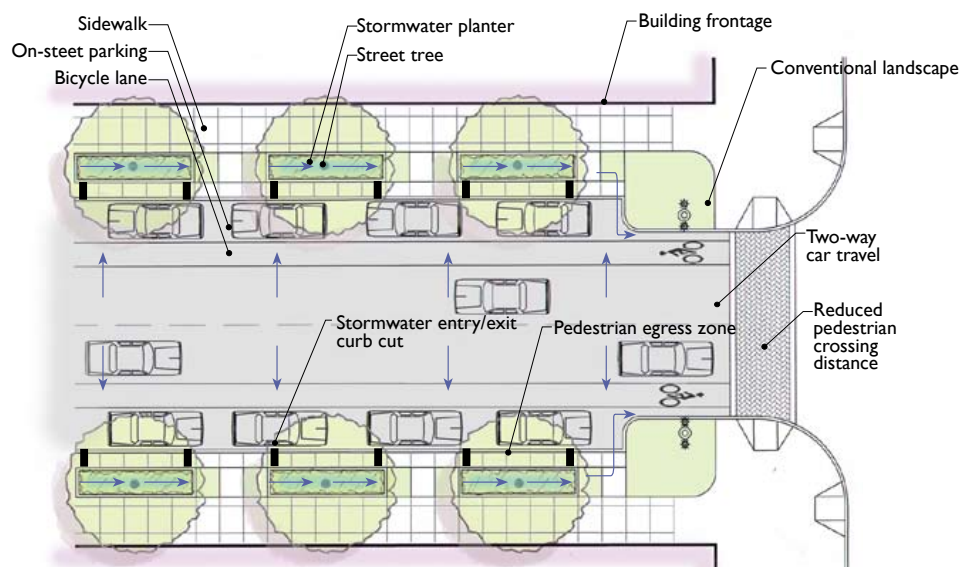
TYPICAL STREET



OPPORTUNITY



IMPLEMENTATION



## STORMWATER CURB EXTENSIONS

Stormwater curb extensions on commercial streets are similar to those on residential streets. They are rain gardens typically located near the corners that can also provide the pedestrian with a more comfortable crossing.

Curb extensions can also be located mid-block by converting one or more parking spaces.



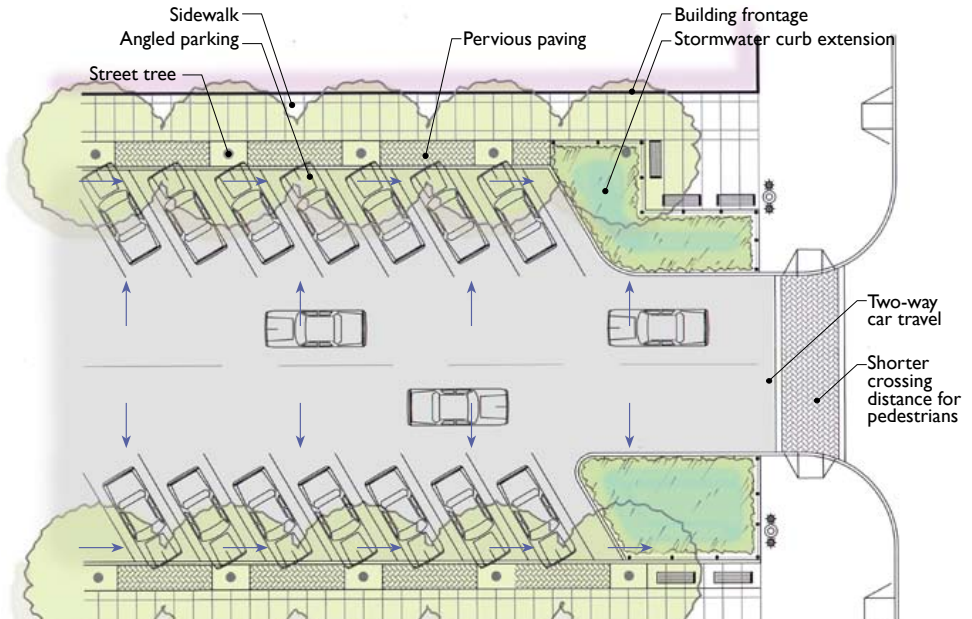
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OPPORTUNITY



IMPLEMENTATION



## PERMEABLE PAVING

Permeable paving on commercial streets can be incorporated into sidewalks and parking lanes.

Recent advances in permeable paving technologies now make many appropriate for higher speeds or where large, heavy vehicles are expected to be parked—areas such as loading zones and bus stops.



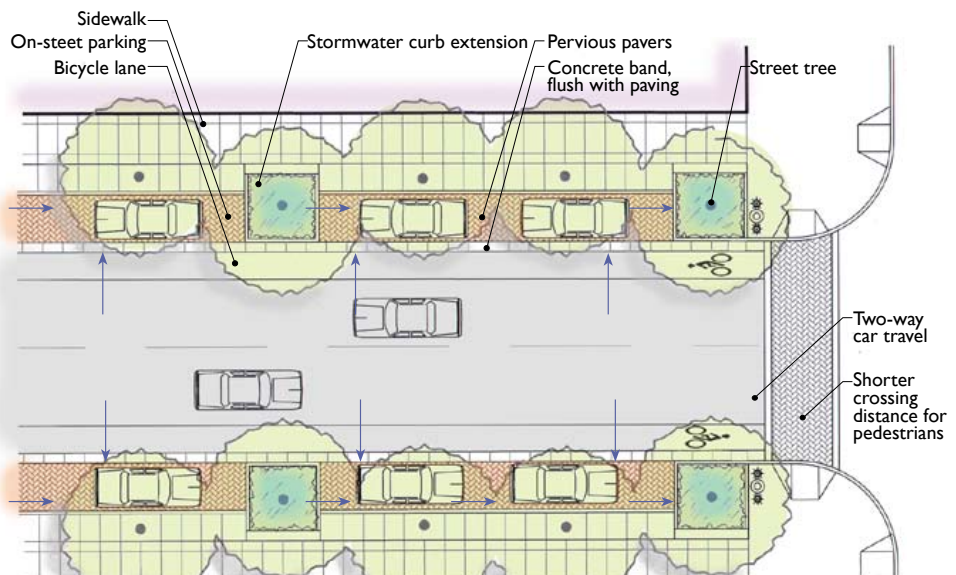
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IMPLEMENTATION





# Arterial Streets

## VEGETATED SWALES

Arterial streets in towns and cities are often characterized by wide expanses of pavement, little greenery, and little to address pedestrian needs. Should an arterial street already have landscape areas adjacent to the roadway or within grassy medians, then retrofitting these areas to accommodate rainwater will significantly reduce runoff and help protect water quality.

Where adjacent landscape space does not exist, a process of “road dieting” can be undertaken. This involves determining just how much paved surface is necessary to safely manage travel, and how much can be converted to green space. In addition to managing runoff, this is also an opportunity to retrofit the functionality of arterial streets, making them more “multi-modal” by

incorporating sidewalks, on-street bike lanes, or landscape-separated bike greenways.

Again, as with residential and commercial streets, though it is easier to plan and design all of these uses into a roadway from the beginning, most arterials present opportunities to incorporate Green Street features, and can be highly successful.

*Busy arterials need not only be a conduit for traffic. They have the potential to be attractive, green boulevards that reduce runoff and reinforce a community's identity.*

## VEGETATED SWALES

Like residential streets, arterial roadways are good street types for swales because they typically have long, linear stretches of uninterrupted space that can be used to manage stormwater.

Some arterials may not have landscape space in place but do have travel lanes or paved shoulders that can be narrowed to create space for swales.



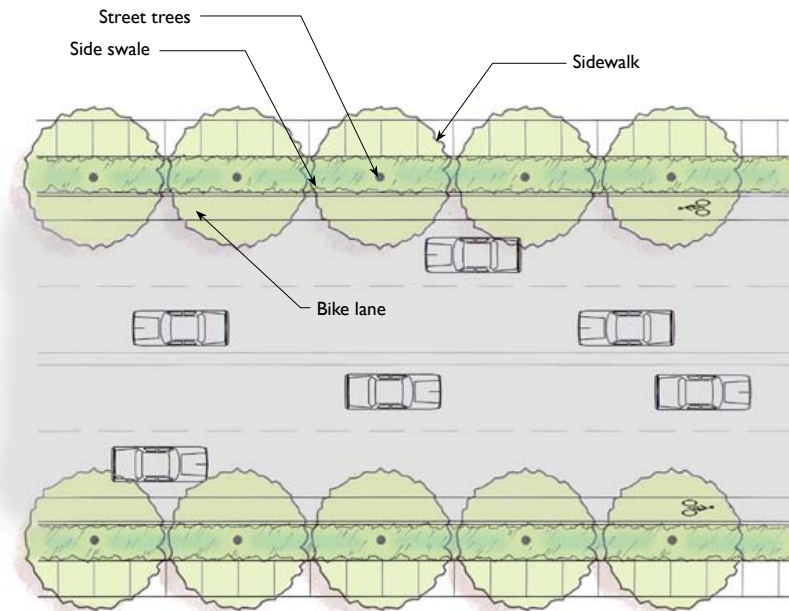
TYPICAL STREET



OPPORTUNITY



IMPLEMENTATION



# Alleys

## PERMEABLE PAVING VEGETATED SWALES

In many towns and cities, alleys comprise a significant amount of impervious surface and are sometimes prone to flooding because they are often not connected to the sewer system. Green Street techniques like vegetated swales and permeable paving effectively reduce and treat runoff, alleviate flooding, and are far less expensive than installing connections to sewers.

*Alleys are the “low-hanging fruit” of Green Street design—a good starting point for towns and cities to begin incorporating stormwater management.*

### PERMEABLE PAVING

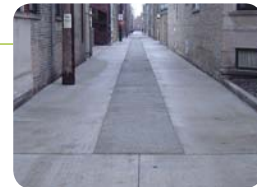
Alleys are typically low-speed and low-trafficked streets and therefore suitable locations for using permeable paving. The entire surface could be permeable, or if heavier vehicles are anticipated for loading and unloading, or the alley is “reversed crowned” (sloping toward the center line), then only the middle section needs to be permeable.



TYPICAL ALLEY



OPPORTUNITY



IMPLEMENTATION

### VEGETATED SWALES

If the alley is crowned in such a way that water flows to the side, then stormwater can be accommodated by simply greening edges of the alley with swales and planters.

If necessary, water can flow through pipes or covered trenches to allow vehicle access to garages and driveways.



TYPICAL ALLEY



OPPORTUNITY



IMPLEMENTATION

Illustrations and photographs used in this brochure are from the EPA publication *Stormwater Management Handbook—Implementing Green Infrastructure in Northern Kentucky Communities* and were created by Nevue Ngan Associates of Portland, Oregon.

This handbook, as well as other valuable resources, are available at both [www.epa.gov/smartgrowth](http://www.epa.gov/smartgrowth) and [www.epa.gov/greeninfrastructure](http://www.epa.gov/greeninfrastructure).

**MRP 2.0 Steering Committee  
Green Streets Work Group Meeting  
February 25, 2014, 1:30-4:00 pm**

Water Board Offices, 1515 Clay Street, Oakland, 2<sup>nd</sup> Floor, Room 15

**Meeting Summary**

**I. Review Agenda & Introductions**

- Participants introduced themselves. The attendance sheet is attached. There were no changes to the agenda.

**II. Review Purpose and Plan for Work Group**

Jill Bicknell (SCVURPPP) presented information on the background and purpose of the Green Streets Work Group. The MRP 2.0 Steering Committee formed the Work Group to discuss approaches to long term green infrastructure planning and funding, integration with transportation planning and funding, and identify reasonable short term actions to incorporate into MRP 2.0.

Matt Fabry (SMCWPPP) was unable to attend, so Jill presented the background information on integrating transportation programs with stormwater programs for green streets.

Discussion of approach and potential short term actions:

- Roger Lee (City of Cupertino) – Need to add an O&M component to the integrated approach.
- Tom Mumley (Water Board) – The Integrated Approach is good, but there also needs to be a bubble for the management of the whole approach. How can the management be sustained?
- Obaid Khan (City of Dublin) – Federal funds are provided to local municipalities through the One Bay Area Grant (OBAG)<sup>1</sup>. The complete streets requirement with the Priority Development Area (PDA) designations came with the funding availability, which made it work.

Issue: Is “retrofit banking” defined as a set of projects (like wetland banking) or the mechanism to collect and disperse funds from various sources to build projects?

- Tom – We are envisioning both types of banking. The State Revolving Loan Fund could be tapped for building projects first if needed. Jill – Is the SRLF for capital only or also for O&M? Tom – not sure.
- Jill –Can the SRLF be used for large regional projects beyond watershed boundaries? Dale Bowyer (Water Board) – Could look at expanding the

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<sup>1</sup> The OneBayArea Grant Program is a new funding approach that better integrates the region’s federal transportation program with California’s climate law (Senate Bill 375). See: <http://www.mtc.ca.gov/funding/onebayarea/>



definition of watershed to a county, or region within a county (e.g., ocean and bay sides of San Mateo County.)

- Jill – San Mateo County is well prepared for a banking system because of the CCAG funding program.
- Obaid – Transportation funds can only be used for specific types of transportation projects. However, don't forget about on-going sources of funding like Measure B in Alameda County that are sourced from sales taxes. These measures can fund O&M.
- Melody Tovar (City of Sunnyvale) – On the slide, all the arrows come into the bank – can you elaborate on Matt's idea? Jill – The idea is that various types of funding like in-lieu fees and impact fees can come into the bank as well as grant funds and transportation funds.

Issue: How to prioritize green street projects?

- Kathy Cote (City of Fremont)- Need to prioritize which areas have a higher benefit or where there are opportunities. Could follow the trash plan process using a color coded map.
- Tom – Agreed with this approach. Use different factors, different needs at the city or county level. Don't want to make too broad with too many options; plan needs to be implementable and strategic.
- Melody – Not sure that mapping is needed yet, but categories could be developed using land use as one example. Industrial areas might not need complete streets, but could need green streets.
- Jill – The long term green infrastructure plan will need to be integrated with the Capital Improvement Plan.
- Steve Kowalewski (Contra Costa County) – For safety grants, locations are chosen that have high collision rates, but these locations may not have water quality issues. There are competing requirements that can't always be integrated. For example, the recent Vasco Road project was not the best place to put LID treatment. Because funds had to be allocated to meet water quality requirements, the size of the project was reduced.
- Randy Iwasaki (Executive Director for the Contra Costa Transportation Authority) – It would be nice to be able to put the green street dollars where they make the most sense instead of being required to include it in every project.
- Obaid – A possible way to get priorities changed is to include new factors in the project analysis. The Alameda CTC (Alameda County Transportation Commission) is working on new street typologies - water quality could be included.
- Dan Cloak (consultant to Contra Costa Clean Water Program) – We need to differentiate between strategic and opportunistic. It may be best to focus on opportunistic now and strategic in the long term. Opportunistic can be useful

and has allowed us to try things out and learn lessons. We are missing opportunities now.

- Dale – We should thinking strategically so that when opportunities come along, we can take advantage of them.

Issue: Long Term Funding Sources

- Randy – The Federal Highway Trust Fund is trending towards insolvency unless Congress either reduces spending or increases the Federal excise tax on gasoline or continues to balance the HTF with general fund dollars. In California 12% of transportation dollars are Federal, 23% are State and 65% is Local. Cap and Trade funds are small compared to the gap in funding. Projects that were done previously are now being retrofitted at a higher cost to include complete streets items. To retrofit again for water quality will increase costs again.
- Steve – The Vasco Road project was only able to complete 1.5 miles instead of 2.5 miles because of water quality costs.
- Randy – But it's also important to recognize how far we've come in the transportation sector. In the '80's there were no construction BMPs being installed. It's an accepted practice now – not a bad word. The Governor's plan for the drought may also have some water quality impacts that can be taken advantage of and when the measure in Contra Costa comes up again, perhaps green streets can be added to the complete streets element. Education of transportation officials, with data to support it, is important.

### **III. Alternative Compliance and Retrofit Banking Concept**

Peter Schultze-Allen (SMCWPPP/EOA) presented information on alternative compliance issues in the MRP and potential ideas for increasing flexibility in MRP 2.0.

Issue: Definitions of terms in the current alternative compliance provisions:

- Obaid – How is “Net Environmental Benefit” defined? Tom – It was designed to be flexible on purpose to allow for different options. The idea is to do more or show that the alternative compliance option is more cost effective. (The language was added because EPA and the environmental NGOs thought the provision would be abused.) The definition for “Watershed” was also left unspecified to allow flexibility.
- Obaid – How flexible? Could runoff from a street project be diverted to the sanitary sewer system in lieu of LID treatment? Tom – Yes. In some cases that could be the most cost effective. Dale – Diversion to a POTW is better than LID. Sue Ma (Water Board) – But it is not usually done because winter storms can cause overflows and challenges for sanitary treatment.
- Jim Scanlin (Clean Water Program – Alameda County) – Could tree filters (with high flow rate media) be allowed for retrofits? Dale – That's a more significant change that would need more discussion.

- Shin-Roei Lee (Water Board) – Cited an example of alternative compliance in Contra Costa County in which treatment of runoff from a bridge project was mitigated at several separate intersections.

Issue: Cost calculations for in-lieu fees – how to account for O&M costs:

- Tom – can be calculated per standard methods (i.e., amortize over the life of the project and compute present value). Melody – O&M not typically paid for by developers – they build and sell. Tom – can charge present value of maintenance upfront.

Issue: Other challenges with alternative compliance:

- Steve K. – Using the off-site option is not possible for many transportation projects because the off site location and project would be considered a separate project that is ineligible for transportation funds and requires a separate environmental and permitting process. But the banking approach can work. Tom – there is evidence that this model works: Caltrans is funding LID retrofits as mitigation for some of their projects. Randy – different sources of money have different restrictions; the banking concept may not work for all sources. Dan – going offsite is not usually an issue for private projects; the costs of onsite compliance are not that great.
- Melody – in Sunnyvale, developers were interested in paying a fee but there are no projects available. The challenge is getting the initial seed funding, and there is no guarantee the mitigation project could be built within the required timeframe.

#### **IV. Approach to Involving Transportation Agencies**

- Eight of the nine Bay Area counties have local tax measures (Measure B in Alameda County) that are used for funding local transportation projects. The funds can be used for drainage systems that are part of the roadway. There are specific list of projects associated with the funds. The Congestion Management Agencies in each county are involved with these programs.
- Dan – need to do data collection and analysis to make the pitch to agencies for including water quality. How do we get this done?
- Jill – need to think more about that pitch and what the angle would be for each agency
- Tom – reiterated that the approach for road projects in MRP 2.0 will be implement LID on all regulated road projects, or (“off ramp”) demonstrate commitment to a long term green street plan
- Melody – educating engineers and planners to more strongly consider green elements should be part of the plan.
- Obaid – a separate tax measure (like Measure B) for water quality could be put to the voters. A survey could be done to gauge voter interest.
- Tom – agrees that we’ll need more resources to make progress in a timely manner. Permit requirement needs buy-in to work.

- Peter – what is the appropriate pace for retrofits? Will affect the cost.
- Tom – agrees pace is important. What amount of effort is reasonable to be eligible for “off-ramp?”
- Kathy – Sees similarities to trash efforts – good to identify high priority areas - she would not want to have to retrofit a certain percentage.
- Obaid – in the transportation arena, local plans are linked to countywide plans which are linked to regional plans; and specific projects are identified with a time frame for implementation.

## **V. Presentation on GreenPlan Bay Area Project**

Jill introduced Jennifer Krebs from the San Francisco Estuary Partnership who gave a presentation on the GreenPlan Bay Area project.

The project is funded by a Prop 84 grant. It is designed to assist in the prioritizing of green street projects using several types of data and mapping the layers.

Two cities are involved with the pilot – San Mateo and San Jose.

San Mateo is working on a sustainable streets plan and was able to add this to the project.

San Jose has a lot of data and wants to use the project for some redevelopment areas and to complement the City’s Storm Drain Master Plan.

- The project has a Technical Advisory Committee. The next TAC meeting will be in the spring.
- The project has a component to look at development of alternative compliance programs. Jennifer asked if other cities wanted to be involved. Fremont, Cupertino and Sunnyvale are interested.
- The project is scheduled for 30% completion in March of 2014 and fully completed in 2015.

## **VI. Next Steps/Next Meeting**

- Next meeting date – March 25, 1:30-4:00 pm
- Topics for next meeting:
  - Tom – workgroup now needs to move on from “education” to “action items” with time schedule and process management
  - Send out an email to the group and ask for agenda concepts

**MRP 2.0 Steering Committee  
Green Streets Work Group Meeting  
February 25, 2014**

**1:30 to 4:00 pm**

Water Board Offices, 1515 Clay Street, Oakland  
2<sup>nd</sup> Floor, Room 15



**AGENDA**

- |         |   |
|---------|---|
| 1:30 pm | <b>I. Review Agenda &amp; Introductions</b><br><i>Outcome – identify MRP Co-permittee, Water Board, and stormwater program representatives and agree on agenda.</i>   |
| 1:40 pm | <b>II. Review Purpose and Plan for Work Group</b><br><i>Outcome – Review goals, strategies, tasks, and timeline for the Work Group to address green infrastructure requirements in MRP 2.0, based on discussions at the last meeting.</i>   |
| 1:50 pm | <b>III. Alternative Compliance and Retrofit Banking Concept</b><br><i>Outcome – Review current MRP alternative compliance provisions and implementation to date; discuss the concept of green infrastructure retrofit banking as a component of long term green infrastructure plans.</i> |
| 2:30 pm | <b>IV. Approach to Involving Transportation Agencies</b><br><i>Outcome – Continue the discussion from the last meeting regarding educating/engaging MTC and other transportation agencies in green infrastructure planning and funding.</i>   |
| 3:10 pm | <b>V. Presentation on GreenPlan Bay Area Project</b><br><i>Outcome – Hear a presentation on the Prop 84 grant-funded project goals, products, and schedule, and discuss integration with green infrastructure planning efforts.</i>   |
| 3:50 pm | <b>VI. Next Steps/Next Meetings</b>   |
| 4:00 pm | <b>VII. Adjourn</b>   |

Green Streets Workgroup  
February 25, 2014



## Review Purpose and Plan for Work Group

Jill Bicknell, P.E., EOA  
Assistant Program Manager  
Santa Clara Valley Urban Runoff Pollution  
Prevention Program





## Green Streets Work Group

- MRP 2.0 Steering Committee 9/5/13
  - Discussed Provision C.3.b: Green Streets and Road Reconstruction Requirements
    - Permittees' desire to maintain exemption of road reconstruction projects from stormwater treatment requirements
    - Water Board staff's desire for additional green street and retrofit requirements
    - Consensus that short term actions need to be considered in context of long term plan
  - Direction to form work group to discuss options for permit requirements





## Green Streets Work Group

- Purpose:
  - Discuss approaches to long term planning for green infrastructure (GI)
  - Discuss integration of GI planning/funding with existing transportation planning/funding
  - Identify short term actions associated with long term planning that are reasonable for inclusion in MRP 2.0



## Green Streets Work Group

- Proposed Strategy:
  - Organize meetings around the key components of the integrated approach
  - Invite other agencies as needed
  - Identify short term actions within each component
  - Develop proposed approach and/or permit language for review by Steering Committee



## Potential Short Term Actions



- What makes sense for next five years?
  - **Retrofit Planning Efforts – link to Prop 84 "GreenPlan Bay Area"**
  - Green Street Policies or Resolutions
  - **Local Funding Options**
  - **Alternative Compliance/Banking Programs**
  - Improve Design/Construction/O&M of Retrofit Projects
  - **Work with Outside Funding Sources**



Green Streets Workgroup  
February 25, 2014

## Integrating Green Streets: Funding & Banking

Matthew Fabry, P.E.  
Program Manager  
San Mateo Countywide Water  
Pollution Prevention Program



## Big Picture Premise

- Regulations mandate stormwater treatment solutions
  - New and redevelopment requirements
  - TMDLs and pollutants of concern
  - Green infrastructure viewed as one solution
- EPA Green Infrastructure Strategic Agenda
  - **Goal:** Green infrastructure language in permitting and enforcement actions is common practice.



## Why Do We Care About Streets?

- Significant amount of impervious surface
- Major source of “public” runoff
- Unlikely to redevelop
- Primary surface conveyance system for stormwater
- Carries the bulk of pollutant loads
- Publicly-owned and maintained



## Why Sustainable Streets?

- Multi-benefit
  - Water quality and quantity benefits
  - Air quality/greenhouse gas reduction
  - Heat island mitigation
  - Traffic calming
  - Increase property values
  - Improve bike/pedestrian environment
  - Additional green space
  - Public education



## Why Sustainable Streets?

- Multi-benefit
  - Water quality and quantity benefits
  - Air quality/greenhouse gas reduction
  - Heat island mitigation
  - Traffic calming
  - Increase property values
  - Improve bike/pedestrian environment
  - Additional green space
  - Public education



## Current Approach to Making Projects Happen

- Multiple funding sources
  - Usually a transportation project seeking water quality grant funds
- Opportunistic
- Water quality-focused grant apps
- Limited cost/benefit on WQ alone
- Semi-integrated, standalone projects – usually not part of a larger “grand plan”



## Challenges with Current Approach

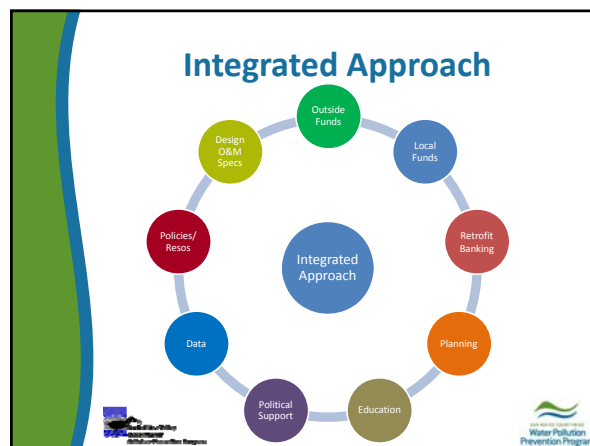
- Timing
- Matching fund requirements
- Limits on what can be funded
- Staff resources to apply for and manage grants
- Reporting/Documentation



### What's a Better Approach?



- Significant investments in transportation infrastructure coming
- Need to integrate sustainability issues with transportation funding programs
- Can't expect transportation funding to pay for water quality solutions
- Need to bring sustainability funding sources into transportation process
- Need local, regional, state, and federal efforts to make it work
- Can't be driven by stormwater permits





### Outside Funds – Follow the Money



- AB32/SB375 – Climate change legislation
- Sustainable Communities Strategies
- Greenhouse gas emission reduction
- Focus on housing around transit
- Redirection of transportation funds (fuel taxes) toward SCS
- Other big investments in transportation planned – Cap and Trade Auction \$
- Active transportation/Complete Streets solutions

### Follow the Money



- Governor's 2014-15 Budget
  - \$100 million Cap and Trade funds for SCS implementation
    - Strategic Growth Council
    - Active transportation
    - Transit-oriented development
  - \$472 million in Prop 84 to IRWMP
    - Dept of Water Resources
    - Integrated, multi-benefit solutions
    - "Last" big pot of water-related funding
- Bay Area MTC – anticipates \$15 billion to complete streets, bike/ped, and streetscape improvements in Priority Development Areas through 2040

Not Integrated!

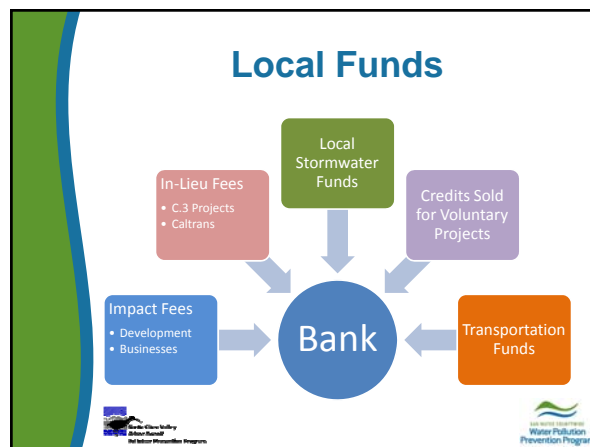
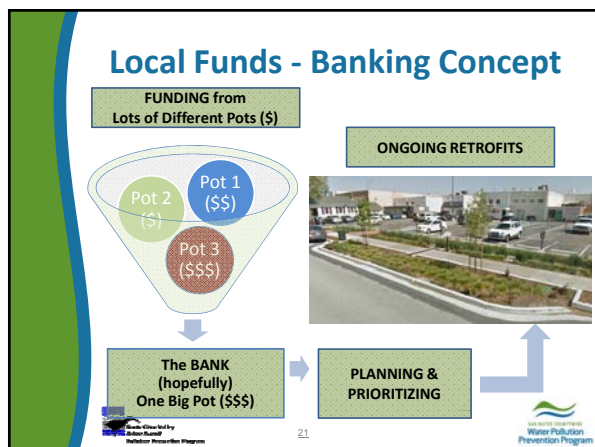
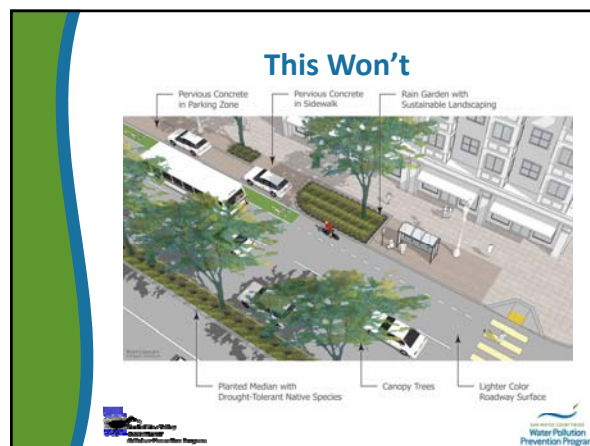
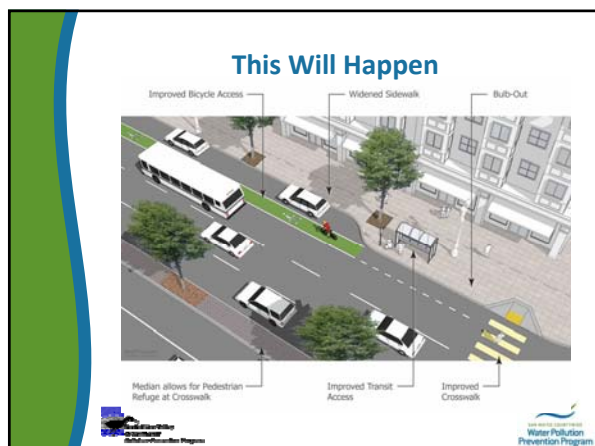



### Problem with SCS, Transportation, and Water Quality Investments

- SCS only looking at one environmental impact of transportation infrastructure
  - Water quality agencies not involved
- Attempting to reduce GHGs, but missing opportunity to build resiliency for climate change impacts
  - Increased precipitation
  - Downstream restrictions, sea level rise
  - Increased temps, urban heat islands
- IRWMP – Not connected to SCS, and green streets don't compete well on their own





## Alternative Compliance Issues in the MRP Provision C.3.e

Peter Schultze-Allen  
Senior Scientist, EOA

## Current MRP Language

**Provision C.3.e.:** Permittees may allow a Regulated Project to provide **alternative compliance** with Provision C.3.c as below:

LID treatment of Stormwater runoff not treated on site may be provided at either:

- Option 1: An Offsite Location**
- Option 2: A Regional Project with an in-lieu fee contribution**

## MRP Definitions

**In-lieu Fee:** “Monetary amount necessary to provide both hydraulically-sized treatment (in accordance with Provision C.3.d) with LID treatment measures of an equivalent quantity of stormwater runoff and pollutant loading, and a proportional share of the operation and maintenance costs of the Regional Project.”

**Regional Project:** “A regional or municipal stormwater treatment facility that discharges into the same watershed that the Regulated Project does.”



## Option 1 – Offsite

Treat the remaining portion of the Provision C.3.d runoff with LID treatment measures at an offsite project in the same watershed. The offsite LID treatment measures must provide hydraulically-sized treatment (in accordance with Provision C.3.d) of an equivalent quantity of both stormwater runoff and pollutant loading and achieve a net environmental benefit.



## Option 2 – In-lieu Fee

Pay equivalent in-lieu fees to treat the remaining portion of the Provision C.3.d runoff with LID treatment measures at a Regional Project. The Regional Project must achieve a net environmental benefit.



## MRP Barriers to Alternative Compliance

1. Implementation Time Limit
2. Location
3. Reporting
4. Operation & Maintenance

Other Barriers:

1. In-lieu Fee Amount



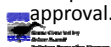
## 1. Implementation Time Limit

Offsite Projects:

- Must be constructed by the end of construction of the Regulated Project.
- Or for each additional year, up to three years, after the construction of the Regulated Project, the offsite project must provide an additional 10% of the calculated equivalent quantity of both stormwater runoff and pollutant loading.

Regional Projects:

- Must be completed within three years after the end of construction of the Regulated Project
- Or up to five years with Executive Officer approval.



## 2. Location

- Projects must be located in the same watershed as the Regulated Project.

## 3. Reporting

- The Regional Project's goals, duration, estimated completion date, total estimated cost of the Regional Project, and estimated monetary contribution must be in the Permittee's Annual Report.



## 4. Operation & Maintenance

- For all off-site projects and Regional Projects installed in accordance with Provision C.3.e.i-ii, the Permittees shall meet the Operation & Maintenance (O&M) requirements of Provision C.3.h.
- Regulated Projects must pay a proportional share of the O&M costs of the Regional Project



## MRP 2.0

### Potential Ideas for Increasing Flexibility



## 1. Implementation Time Limit

### Barrier to Offsite:

- Implementation Delay Penalty – changes in scope after the Regulated Project is complete could cause problems if not enough land is available offsite

### Barriers to Regional:

- Economic downturns can delay Regulated Projects and their contributions to a Regional Project
- City construction schedules and finances can cause delays if the City is building the Regional Project

### Barrier to Both:

- The amount of time to set up an Alternative Compliance program with the first project could delay implementation



## Time Limit (cont.)

### Potential Solutions:

- Existing in-lieu fee programs could be used as models to address the limitations on the time limit issue.
- For example, implementation time frame for park and open space in-lieu fee programs is five years (per the Quimby Act).
- Parking requirement in-lieu fees are commonly used and could be a model



## 2. Location

### Reasons to go outside project watershed:

- Project watershed has low impairment
- Project is in a small watershed
- Limited development within a watershed
- Other locations with higher water quality priorities exist at the City or County-wide level

### Possible Solution:

- Expand the allowable implementation area beyond the regulated project watershed



## 3. Reporting

### Barrier:

- Cities are sometimes averse to more reporting requirements

### Solution:

- Reporting for a county-wide regional project could be done by the county program



## 4. O&M

### Barrier:

- Regional Projects create an uncertain liability for Co-permittees to take on in perpetuity
- The methodology for calculating the long term cost of O&M has not yet been defined.

### Solution:

- Regional Projects county-wide could be coordinated for savings with one construction and/or maintenance contract.

## In-lieu Fee Amount

### Barrier:

- Amount of fee hasn't been calculated causing uncertainty for Permittees.

### Possible Solution:

- A nexus study would help calculate costs and corresponding in-lieu fees for co-permittees.

Green Streets Work Group  
February 25, 2014

## Approach to Involving Transportation and Other Agencies

Jill Bicknell, P.E., EOA  
Assistant Program Manager  
Santa Clara Valley Urban Runoff Pollution  
Prevention Program

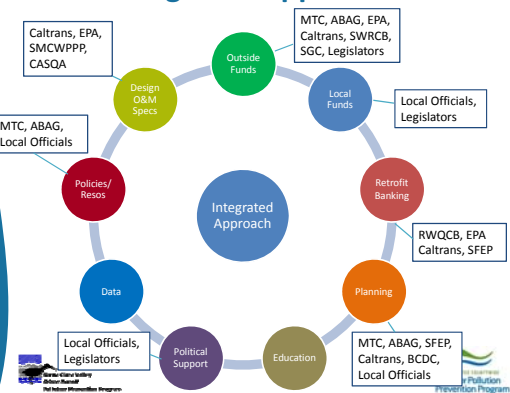
## Involvement of Other Agencies and Organizations

- Key element of integrated approach
- Questions remain about who to engage, how, and when
- Efforts required prior to permit adoption vs. during permit implementation
  - Example: Prepare standard powerpoint presentation to brief boards/commissions and take "on the road"

## Involvement of Other Agencies and Organizations

- Metropolitan Transportation Commission
- Association of Bay Area Governments
- Caltrans
- State Water Resources Control Board?
- Other State or regional agencies (BCDC, Strategic Growth Council)?
- Environmental Protection Agency?
- State and/or Federal Legislators?
- Non-profit organizations?

## Integrated Approach



### Approach to Addressing in MRP 2.0

- Use C.9 (Pesticide Control) as a model
- Short term actions toward a long term green infrastructure plan
  - Adopt/implement local ordinances and policies
  - Set up local programs/funding mechanisms
  - **Track and participate in relevant [regional planning and funding] processes**
  - Conduct training and outreach



### Questions for Work Group

- What key agencies/organizations and particular individuals should be involved?
- Approach/timeframe for engagement: what outreach needed now to inform MRP or later as part of permit implementation?
  - Example: Work with MTC/ABAG over next 2-3 years to get water quality considerations in next Plan Bay Area update
  - Example: Work with legislators to get water quality funding into bond measures, etc.



### GreenPlan Bay Area

Project Overview

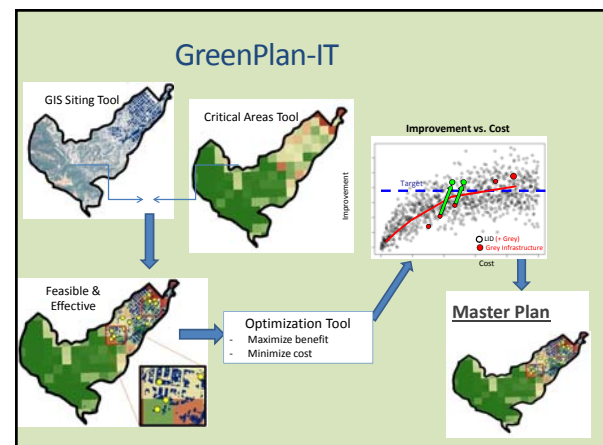
### Prop 84 Stormwater Planning Grant

- Funder: State Water Resources Control Board
- Timeframe: 8/13 to 8/15
- Participants:
  - SFEP
  - SFEI, including subs Dan Cloak and Jennifer Walker
  - Cities/Counties around the Bay

### Developing the Model

In a given watershed...

- What quantitative water quality and hydrological improvements can be made with Low Impact Development?
- What is the optimal plan of where to site such features?
- With LID, can we improve upon the cost/benefit of grey infrastructure alone?

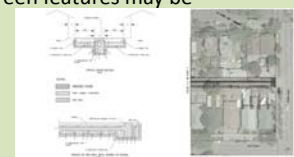


### Among Data Inputs

- **Topography** – ~1ft vertical resolution (LiDAR)
- **Land cover** - ownership, parcels, roads
- **Hydrology** - storm drainage network, depth to groundwater, flow
- **Water Quality Monitoring**
- **Imagery** – current (2010 or later) high resolution (<1 ft) aerial photography
- **Catchment Delineations** - <HUC12
- **Additional data** - any other partner-specific data themes or locations to be included in analysis of LID implementation, e.g., red curbs, right of ways, public parks, etc.
- **Meteorology** – precipitation, temperature
- **Diversions** - any water uses that divert water from the stream/watershed (locations and amounts)
- **Existing LID information** - Location, type, remove efficiency, design capacity, any post-implementation monitoring data
- **Existing Stormwater Models**
- **Local cost information on various types of LID** - capital, operation and maintenance

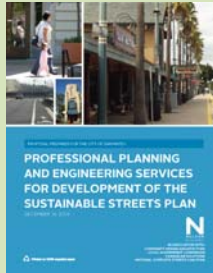
### GreenPlans

- Selected jurisdictions for pilot test of GreenPlan-IT are San Mateo and San Jose
- After running and verifying GreenPlan-IT, these cities will adopt Green Plans OR data will be incorporated in other planning initiatives under way
- 8 concept designs of green features may be incorporated in plans



## City of San Mateo

- Sustainable Streets Planning Initiative underway via Caltrans Grant
- Integrating GreenPlan sites & designs into Sustainable Streets Plan
- Plan will be city-wide, but implementation still unclear (change city fee structures? Multimodal impact fees?)
- Will go to city council in 2015



## City of San Jose

- Focus on two areas of city – North San Jose (flows to both Guadalupe & Coyote) & Monterey Road (urban industrial)
- These areas are slated for development.
- Plans will go to City Council (Specific Plans or Urban Villages) & be adopted that call out info from GreenPlan
- Wants to involve SCVWD

## Alternative Compliance

- How to fund LID called out in GreenPlans?
- Can cities use funds from permit required projects that have low cost-benefit, to fund other more desirable projects?
- Focus on San Mateo and San Jose to begin with

## TAC involvement

- 30, 60, 90 percent “design” consults on GreenPlan-IT
- Check in’s on Master Plans as they are developed
- Check in’s on Alternative Compliance as it’s developed

## Webinars

- After completion of GreenPlan-IT, development of training modules so other interested parties can access tool
- Fall 2015???

Thanks!

<http://www.sfestuary.org/greenplanning>

Jennifer Krebs

San Francisco Estuary Partnership  
510-622-2315

# C/CAG AGENDA REPORT

**Date:** April 15, 2014  
**Item:** 4B  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Receive update on potential countywide funding initiative for stormwater compliance activities

## **RECOMMENDATION**

Receive update on the potential countywide funding initiative for stormwater compliance activities.

## **BACKGROUND/DISCUSSION**

Since January of 2013, C/CAG has been working with a consultant team led by SCI Consulting Group to evaluate the feasibility of a countywide funding initiative to generate new, ongoing revenue for C/CAG and its member agencies to implement water pollution prevention programs consistent with the requirements of the Municipal Regional Stormwater Permit (MRP) issued by the San Francisco Bay Regional Water Quality Control Board.

The following summarizes the current status of efforts conducted to-date:

- **Enabling Legislation:** would affirm C/CAG's authority as a joint powers agency to propose a countywide special tax or property-related fee for approval by voters or property owners. Assembly Bill 418 (Mullin), which was introduced as a gut-and-amend bill in January of this year, received 2/3 approval as an urgency bill in the Senate in late February and now moves back to the Assembly for concurrence. If approved by 2/3 of the Assembly, the bill will go to Governor Brown for signature, and if signed, go into effect immediately. This would allow C/CAG to potentially proceed with a property-related fee as early as late summer/fall of this year.
- **Funding Needs Analysis:** estimates costs to implement existing and anticipated future MRP requirements for both C/CAG and its member agencies. Preliminary funding needs were presented to the C/CAG Board in September 2013 and the needs analysis has gone through two rounds of review by C/CAG's Stormwater Committee. Staff anticipates presenting the final report to the C/CAG Board for adoption in May.
- **Funding Options Report:** details the various available options for funding the different compliance activities mandated in the MRP. This includes both balloted and non-balloted approaches, as well as recommendations for potential ways existing efforts and funding sources could be restructured for greater effectiveness. Preliminary information on funding options was presented to the C/CAG Board in September 2013. C/CAG's Stormwater Committee is reviewing the report and staff anticipates presenting it to the C/CAG Board for adoption in May.
- **Public Opinion Research:** gauges support among both registered voters and property owners within San Mateo County for funding stormwater compliance activities. This includes completing 800 telephone surveys and mailing out 22,000 written surveys that test varying



dollar amounts, positive and negative arguments, and potential ballot language. The phone survey was completed in summer of 2013 and the mail surveys were sent out in late March and will remain open for submittal until late April, with final results for both surveys presented to the C/CAG Board in May.

- Action Plan: details in plain language how funding under a successful initiative would be utilized, including general programmatic areas and related pollution prevention activities. This is being referenced as the “Countywide Water Pollution Prevention Plan” and will be used as an outward communication tool to translate the highly prescriptive and technical details of activities required by the MRP into terms understandable by the general public. Staff anticipates bringing the Action Plan to the C/CAG Board for adoption in May or June.
- Public Education and Outreach: includes implementing a plan to educate and engage C/CAG’s member agencies, the public, and key stakeholders regarding the water quality concerns in San Mateo County and the need for additional funding to be able to fully address the problems. The consultant team has been authorized to initiate preliminary efforts under task, with the remainder to be implemented if a funding initiative is authorized by the C/CAG Board. Staff anticipates updating the C/CAG Board in May regarding activities implemented to-date.

The following summarizes anticipated next steps:

- Meetings with Member Agencies: includes C/CAG staff meeting with representatives from each member agency, including C/CAG Board members, city/town/county managers, and Stormwater Committee members (typically, the public works director). During these meetings, staff will present and seek feedback on each agency’s financial needs, potential rate structure and magnitude, estimated potential revenue, opinion research results, key stakeholders for engagement, and overall process and timeline. This is expected to occur during April and May.
- Meetings with School Districts: includes C/CAG staff and consultants meeting with County Office of Education and school district staffs to discuss opportunities to minimize impacts of a potential countywide funding initiative on school districts (anticipated rate structure for a potential initiative is based on the amount of impervious surface on each parcel, so school districts can face significant tax or fee liability given the large amount of impervious surface on most school properties). These meetings are anticipated to take place in May and June.
- Stakeholder Outreach: includes continued outreach and engagement efforts with key stakeholders throughout the county, with a focus on educating the public on the priority water quality issues, progress achieved to-date by C/CAG and its member agencies, and the significant work still remaining to address these issues and why additional revenue is necessary. Engagement efforts are focused on local media relations, online tools such as the San Mateo Countywide Water Pollution Prevention Program website, e-newsletters, and social media, meetings with local groups and key community stakeholders, and strategic media ad buys and printed materials. These efforts have been ongoing since January and are being coordinated with existing outreach and engagement efforts by C/CAG’s Countywide Water Pollution Prevention Program and member agencies as mandated under the MRP.

The following summarizes other potential water-related initiatives in 2014:

- State Water Bond: There is already an approved \$11 billion water bond scheduled to be on the November ballot that was authorized via 2009 legislation. Currently, however, there are various revised versions of the water bond bill working their way through the legislature. With the current drought dominating the news, it appears likely there will be some form of water bond on the ballot in November, while the exact amount and focus of expenditures remains to be seen.
- San Francisco Bay Restoration Authority: The San Francisco Bay Restoration Authority (Authority) is proceeding with plans to place a nine-county Bay Area-wide special tax on the November ballot to implement the Authority's mission to "raise and allocate resources for the restoration, enhancement, protection, and enjoyment of wetlands and wildlife habitat in the San Francisco Bay and along its shoreline." If authorized by the Authority, this initiative will include water quality/pollution prevention messaging that may complement C/CAG's outreach efforts, but may also negatively impact support for a C/CAG initiative if C/CAG does not proceed until after November.

#### **ATTACHMENTS**

None

# C/CAG AGENDA REPORT

**Date:** April 15, 2014  
**Item:** 4C  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Opportunity Area Analysis and Implementation Planning for PCBs and Mercury

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## SUMMARY

Receive an update on the process, schedule, and framework for gathering information over the next 15 months to inform PCB and mercury requirements in the reissued Bay Area municipal stormwater NPDES permit (i.e., MRP 2.0).

## BACKGROUND/DISCUSSION

Total Maximum Daily Load (TMDL) water quality restoration plans for polychlorinated biphenyls (PCBs) and mercury in the San Francisco Bay indicate that a roughly 90% reduction in PCBs and 50% reduction in mercury in discharges from urban stormwater runoff to the Bay are needed to achieve water quality standards. Provisions C.11 and C.12 of the Municipal Regional Permit (MRP) require Permittees to implement pilot-scale control measures during the term of the MRP. Regional Water Board (RWB) staff expects municipal agencies to move from this pilot-scale work to “focused implementation” in the next NPDES permit (i.e., MRP 2.0). To better inform PCB and mercury implementation actions and associated load reduction goals that may be included in MRP 2.0 and meet RWB staff’s MRP reissuance schedule (release of draft permit for public comment in February 2015), RWB staff has requested the following from Permittees:

- **Pilot Watersheds** – develop plans for future focused implementation of control measures in current pilot watersheds, including the Pulgas Creek pump station watershed in San Carlos. Plans should show commitment to significant actions, be adequately robust, and include clear milestones that can be tracked (preliminary plan by June 2014, final by December 2014).
- **Additional High Opportunity Areas** – identify additional high opportunity areas (primarily within old industrial land uses) where focused control measure implementation could occur during MRP 2.0 (preliminary list by June 2014 and refined list by December 2014). Complete initial implementation planning for high opportunity areas by June 2015.
- **Moderate Opportunity Areas** – identify moderate opportunity areas (primarily within old industrial and other old urban land uses except residential) where additional POC load reductions could be achieved opportunistically as the land area is potentially redeveloped and retrofitted with Green Streets (preliminary list by June 2014 and refined list by December 2014). This redevelopment and Green Street retrofitting is anticipated to occur primarily for reasons other than PCB and mercury TMDL implementation. Green Street retrofit projects provide the opportunity for integration of POC load reductions with other drivers and funding sources (e.g., transportation projects). Complete initial implementation planning for moderate opportunity areas by June 2015.

High and moderate opportunity areas will be identified using a process with similarities to that used recently for trash generation areas:

1. Preliminary source area maps will be developed using GIS data (e.g., old industrial land uses, pre-1978 facility construction).
2. Permittees will verify maps following a guidance document (e.g., field visits, Google Street View, local knowledge).
3. Urban sediments will be collected near source areas and analyzed for PCBs.
4. Opportunity area maps will be refined based on Permittee verification and sample results.

Table 1 (taken from IMR Part C) presents the results of a preliminary land use analysis for San Mateo County. Permittees with substantial old industrial acreage will likely be the most involved with the above tasks.

**Table 1. Old industrial, old urban, and other land use areas for the portion of each San Mateo County Permittee that drains to San Francisco Bay.**

| Permittee   | Permittee Area Draining to San Francisco Bay by Land Use Type <sup>1</sup> |                                   |                         |                        |                    |               |
|---|--|-----------------------------------|-------------------------|------------------------|--------------------|---------------|
|   | Old Industrial (Pre-1968) <sup>2</sup>                                     | Old Urban (Pre-1974) <sup>3</sup> | Open Space <sup>4</sup> | New Urban <sup>5</sup> | Other <sup>6</sup> | Total Acres   |
| Atherton  | 7  | 3,104                             | 113                     | 0                      | 0                  | 3,224         |
| Belmont   | 44   | 2,196                             | 611                     | 67                     | 0                  | 2,917         |
| Brisbane  | 233  | 537                               | 952                     | 55                     | 0                  | 1,777         |
| Burlingame  | 271  | 2,328                             | 124                     | 57                     | 0                  | 2,780         |
| Colma   | 9  | 242                               | 974                     | 0                      | 0                  | 1,225         |
| Daly City   | 27   | 2,027                             | 311                     | 1                      | 0                  | 2,367         |
| East Palo Alto  | 88   | 1,196                             | 112                     | 1                      | 0                  | 1,397         |
| Foster City   | 10   | 1,335                             | 205                     | 780                    | 0                  | 2,331         |
| Hillsborough  | 3  | 3,342                             | 614                     | 0                      | 0                  | 3,959         |
| Menlo Park  | 212  | 3,490                             | 480                     | 125                    | 0                  | 4,307         |
| Millbrae  | 48   | 1,746                             | 260                     | 0                      | 25                 | 2,080         |
| Pacifica  | 0  | 12                                | 28                      | 0                      | 0                  | 39            |
| Portola Valley  | 1  | 750                               | 520                     | 201                    | 0                  | 1,472         |
| Redwood City  | 300  | 4,678                             | 809                     | 1216                   | 1                  | 7,004         |
| San Bruno   | 49   | 2,666                             | 622                     | 1                      | 1                  | 3,340         |
| San Carlos (excluding Pulgas Creek pump station drainage) | 171  | 2,502                             | 382                     | 18                     | 96                 | 3,169         |
| San Carlos (Pulgas Creek pump station drainage only)      | 155  | 105                               | 0                       | 0                      | 0                  | 260           |
| San Mateo   | 182  | 6,608                             | 562                     | 280                    | 0                  | 7,632         |
| San Mateo County  | 267  | 4,335                             | 10,366                  | 309                    | 1884               | 17,162        |
| South San Francisco                                       | 878  | 4,269                             | 410                     | 35                     | 187                | 5,779         |
| Woodside  | 6  | 3,014                             | 2,143                   | 249                    | 0                  | 5,412         |
| <b>Total</b>  | <b>2,963</b>   | <b>50,482</b>                     | <b>20,597</b>           | <b>3,397</b>           | <b>2,195</b>       | <b>79,634</b> |

## **RECOMMENDATION**

Establish a workgroup of staff from appropriate Permittees with substantial old industrial acreage to work with SMCWPPP Program staff in implementing the above process. As an initial step, Program staff will distribute a draft workplan to the workgroup.

# C/CAG AGENDA REPORT

**Date:** April 15, 2014  
**Item:** 4D  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Update on Potential Changes to MRP Potable Water Discharge Permitting

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## **SUMMARY**

Receive an update on the process, schedule, and framework for the Regional Water Board (RWB) staff's effort to develop a new regional National Pollutant Discharge Elimination System (NPDES) General Permit for potable water system discharges to surface waters. Requirements in this proposed permit, including numeric effluent limits (NELs) for chlorine residual, are being cited by RWB staff, for consistency, as what will need to be included in the reissued MRP. Alternatively, the MRP may drop coverage under Provision C.15 for these potable water discharges and require Permittees that are water purveyors to apply for coverage under this new Permit.

## **BACKGROUND/DISCUSSION**

The Municipal Regional Permit (MRP) Provision C.15.b.iii establishes as Conditionally Exempted Non-Stormwater Discharges planned, unplanned, and emergency discharges from potable water systems. This provision was carefully crafted as part of the development of the MRP and represented a substantial ramp-up in level of effort for municipal purveyors compared to previous Bay Area stormwater permits. These discharges are from systems that are required to comply with federal Safe Drinking Water Act and California Department of Public Health requirements to maintain drinking water quality within distribution systems and to protect public health.

Currently, discharges from water purveyors not owning or operating storm drainage systems (such as the East Bay Municipal Utility District) are not covered by the MRP or another NPDES permit. These water purveyors have been working with RWB staff for the last two years to develop a new NPDES General Permit to provide them with Clean Water Act coverage. An administrative draft for the General Permit was released to internal stakeholders in late March 2014. It contains much more prescriptive monitoring and reporting requirements than are currently required by the MRP.

Most importantly, the administrative draft includes a numeric effluent limit (NEL) for chlorine and associated Mandatory Minimum Penalties (MMPs) for violations of the NEL. It is unclear what the technical or water quality bases for this NEL are since staff is only aware of a handful of potable water discharges that have resulted in demonstrable adverse water quality impacts out of the thousands of these discharges that occur throughout the Region annually.

RWB staff has indicated that whatever requirements are adopted in this new General Permit will need, for consistency, to be carried forward into the requirements in the reissued MRP. However, outreach on this topic from Regional Water Board staff to municipal water purveyors has been lacking. This is an important juncture for the stormwater community to more closely track and provide input into this new General Permit while it is still an administrative draft. It is important to note that RWB staff stated at the February 2014 MRP 2.0 Steering Committee meeting that there is no specific problem with current MRP potable water discharge requirements and that the intention is that the new requirements will not be more burdensome to Permittees than the current ones in the MRP (i.e., same BMPs, monitoring, and reporting).

Since this permit would affect all MS4 entities that are water purveyors, it may be appropriate that participation in developing and commenting on this permit be conducted as a BASMAA-sponsored effort. The RWB staff is targeting adoption of this new Permit in early summer 2014.

Staff will continue to work with BASMAA and appropriate municipal staffs to track and communicate a municipal water purveyor position on this draft permit, and recommends this position include:

- Municipal purveyors should retain coverage under a municipal stormwater permit, rather than needing to get coverage under yet another discharge permit (municipalities are already typically subject to the MRP, sanitary sewer collection system permitting, and/or wastewater treatment plant discharge permits).
- The current potable water discharge BMP and monitoring requirements in MRP Provision C.15 are adequate to protect water quality and do not need to be modified.
- An NEL for chlorine is not justified.

# C/CAG AGENDA REPORT

**Date:** April 15, 2014  
**Item:** 4E  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** MRP Compliance Overview/Quarterly Check-In

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## **SUMMARY**

Staff will provide an update on compliance activities that should have been completed in the previous quarter and those that will need to be completed in the upcoming quarter.

# C/CAG AGENDA REPORT

**Date:** April 15, 2014  
**Item:** 4F  
**From:** Matthew Fabry, Program Coordinator  
**Subject:** Other Issues, Subcommittee Updates

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## **SUMMARY**

Staff will provide verbal updates on any other relevant issues, along with the attached written materials.

## **ATTACHMENTS**

- Upcoming Meetings Summary
- Recent Subcommittee Meeting Minutes
- Regulatory Tracking Table



## **Upcoming Meetings, Work Shops, Trainings, etc. for Each Countywide Program Component**

### **MEETINGS**

- Stormwater Committee – meets at 2:30 pm, third Thursday of the month, as needed. Next meeting is April 17, San Mateo County Transit District Office, City of San Carlos.
- Technical Advisory Committee –meets 10 am to noon, third Tuesday of the month, quarterly. Next meeting is April 15, City of San Mateo Main Library.
- New Development – subcommittee meets 1:30 to 3:30 pm, second Tuesday of the month, quarterly. Next meeting is May 13 at Redwood Shores Library in Redwood City.
- Public Information/Participation – subcommittee meets 10:00 am to noon, second Tuesday of every other month. Next meeting is May 13, Belmont City Hall, second floor EOC.
- Municipal Maintenance – subcommittee meets noon to 1:00 pm (\$10.00 lunch), fourth Wednesday of the month, quarterly. Next meeting is August 27 at the City of Millbrae library.
- Parks Maintenance and Integrated Pest Management – work group meets 1:30 to 3:00 pm, fourth Tuesday of the month, approximately three times per year. Next meeting is April 22 at the Redwood City Municipal Service Center.
- Trash Control – subcommittee meets as needed. Next meeting is scheduled for Wednesday, April 30 from 10:00 am to 12:00 pm at the City of Millbrae Chetcuti Room, 450 Poplar Avenue, Millbrae. The Chetcuti Room is next door to the City of Millbrae library.
- Commercial/Industrial/Illicit Discharge Control – subcommittee meets 1:00 to 2:30 pm, third Wednesday of the month, quarterly. Next meeting is June 18 at San Mateo County Environmental Health, City of San Mateo.
- Watershed Assessment and Monitoring – subcommittee meets 10:00 am to noon, second Thursday of the month, approximately two times per year. Next meeting is June 12 at San Mateo County Environmental Health, City of San Mateo.

### **WORKSHOPS**

- Bay Area Hydrology Model (BAHM) – three one-day computer training workshops: April 8 (Santa Clara), 9 (Fremont), and 10 (Fremont), 2014.
- Construction Inspection Workshop – April 23, 2014 at the City of San Mateo Public Library.
- C.3 New Development Workshop – Spring 2014.
- CII Inspector Training Workshop – half day on the morning of April 17, 2014 at the Wind Room in Foster City.

**Trash Committee Meeting Summary**  
**City of Millbrae Library, 1 Library Ave. - Room A/B, Millbrae**

**Meeting Date:** January 22, 2014

**Subcommittee Actions:**

1. Countywide Program staff will continue assisting Permittees in the development and submittal of Long-Term Trash Load Reduction Plans.

**Requested Technical Advisory Committee Action or Feedback/Guidance (if any):** None.

**Other Information/Announcements:**

- **Trash-related Updates** – Chris provided the following trash-related updates.
  - Water Board Trash Workshop- December 11, 2013 – At this workshop, Water Board members provided input on expectations regarding assessment of trash load reductions and methods to determine compliance with the 40% reduction target in the MRP. This workshop served as a continuation of the discussion held on November 13, 2013.
  - Tracking California's Trash Prop 84 Grant – BASMAA was awarded a Proposition 84 Stormwater Monitoring and Planning grant by the State Water Board for a project entitled "Tracking California's Trash". The project includes three major tasks –trash flux and assessment methods development and monitoring, BMP effectiveness monitoring, and creek hotspot and on-land cleanup data management and website development. The project is funded for \$870,000. Project partners include the Five Gyres Institute and the San Francisco Estuary Partnership (SFEP). The agreement between BASMAA and the SWRCB has been executed and the project began in late August 2013. A Request for Qualification (RFQ) package for monitoring contractor(s) was released in mid-December.
  - Statewide Trash Amendments – Over the last three years, the State Water Board has continued to develop draft amendments to the California Ocean Plan and the Inland Surface Waters, Enclosed Bays, and Estuaries Plan. The release of the Substitute Environmental Document (SED) required by CEQA is tentatively scheduled for late winter or spring 2014.
  - Identifying Optimal Large Trash Capture Device Locations Project – Fugro Consultants is assisting the Program with delineating catchment areas for points within the storm drainage network where either: (1) a drainage pipe with a diameter of 24 inches or larger enters laterally into an open creek, engineered channel, or other body of water, or (2) a creek emerges from a segment of pipe or box culvert with a diameter of 24 inches or larger, and continues as an open channel. Both points are locations where trash could potentially be monitored or captured. The purpose of the project is to identify catchment areas for these points where agencies can identify and track the sources of trash, and to implement reduction strategies to comply with the MRP. It is anticipated that this project will be completed in spring 2014.

- **Long-Term Trash Load Reduction Plan Development** – Chris reminded meeting participants that their “Long-Term Trash Load Reduction Plan” is due to the Water Board by February 1, 2014. Since February 1 is a Saturday, individual Permittee Long-Term Plans will be submitted by Countywide Program staff on Monday, February 3, 2014. He mentioned that Countywide Program staff is available to review draft Long-Term Plan. Chris requested that draft Long-Term Plans be submitted no later than January 24, 2014 to ensure a thorough review. It was also requested that Permittees submit their final Long-Term Plan to EOA by January 28, 2014 for posting on the Water Board’s FTP site by February 3<sup>rd</sup>.
- **Pilot Trash Assessment Strategy** – Chris reminded meeting participants that the Draft Pilot Trash Assessment Strategy was out for review. He briefly discussed the Strategy and mentioned that it was developed based on discussions and input provided at Trash Committee meetings. It is consistent with concepts discussed by Water Board staff and members during the November and December Workshops on Trash Assessment. Upon recommendation by the Trash Committee, Countywide Program staff will submit the Final Pilot Assessment Strategy on February 3, 2014 in concert with Long-Term Plans. Chris also distributed a spreadsheet which included a list of trash management areas (TMAs) by jurisdiction that may be considered for visual on-land assessment. All TMAs that are not low trash generating areas will be considered for assessment. A proposed allotment of on-land visual assessment sites by jurisdiction will developed prior to the next meeting. Chris mentioned that Countywide Program staff will develop a full-capture operation and maintenance verification program this spring. The verification program will discuss how to maintain full-capture devices to ensure proper performance to the full-capture design standard.

**Subcommittee Work That Affects Other Subcommittees:** Reducing trash from MS4s involves multiple subcommittees.

**Next Meeting Date:** The next meeting will be held on Tuesday, **March 4, 2014**, 10:00-11:30.

## Trash Work Group Meeting Attendance – FY 2013/14

| Name             | Agency                      | Phone           | E-Mail                            | 07/02/13 | 08/06/13 | 10/08/13 | 11/21/13 | 01/22/14 |
|------------------|-----------------------------|-----------------|-----------------------------------|----------|----------|----------|----------|----------|
| Steve Tyler      | Town of Atherton            | (650) 752-0541  | styler@ci.atherton.ca.us          |          |          |          |          |          |
| Andrea Mardesich | Town of Atherton            | (650) 752-0544  | amardesich@ci.atherton.ca.us      |          |          | X        |          |          |
| Randy Ferrando   | City of Belmont             | (650) 595-7464  | rferrando@belmont.gov             |          | X        | X        | X        | X        |
| Tim Murray       | City of Belmont             | (650) 222-6460  | tmurray@belmont.gov               | X        | X        | X        | X        |          |
| Leticia Alvarez  | City of Belmont             | (650) 595-7469  | lalvarez@belmont.gov              | X        |          |          |          |          |
| Alberto d'Jovza  | City of Belmont             |                 |                                   |          |          |          |          |          |
| Matt Fabry       | SMCWPPP Program Coordinator | (650) 599-1410  | mfabry@co.sanmateo.ca.us          |          |          |          |          | X        |
| Diane Cannon     | City of Brisbane            | (415) 508-2130  | dcannon@ci.brisbane.ca.us         | X        | X        |          |          |          |
| Shelley Romriell | City of Brisbane            | (415) 508-2128  | sromriell@ci.brisbane.ca.us       |          |          |          |          |          |
| Keegan Black     | City of Brisbane            | (415) 728-7986  | kblack@ci.brisbane.ca.us          | X        | X        |          |          | X        |
| Karen Kinser     | City of Brisbane            | (415) 508-2133  | kkinser@ci.brisbane.ca.us         |          |          |          |          |          |
| Randy Breault    | City of Brisbane            | (415) 508-2131  | rbreault@ci.brisbane.ca.us        | X        | X        | X        |          |          |
| Vincent Falzon   | City of Burlingame          | (650) 558-7679  | vfalzon@burlingame.org            |          |          |          |          | X        |
| Peter Gaines     | City of Burlingame          | (650) 558-7672  | pgaines@burlingame.org            | X        |          |          |          |          |
| John Baack       | City of Burlingame          |                 | JBaack@burlingame.org             |          |          |          |          |          |
| Stephen Daldrup  | City of Burlingame          | (650) 342- 3727 | Stephen.daldrup@veoliawaterna.com | X        | X        | X        |          | X        |
| Rob Mallick      | City of Burlingame          | (650) 558-7673  | rmallick@burlingame.org           |          |          | X        |          |          |
| Eva Justimbaste  | City of Burlingame          | (650) 342-3727  | eva.justimbaste@veoliawaterna.com |          |          |          | X        |          |
| Louis Gotelli    | Town of Colma               | (650) 333-0295  | louis.gotelli@colma.ca.gov        |          | X        | X        | X        | X        |
| Phil Scramaglia  | Town of Colma               |                 | phil@csgengr.com                  |          |          |          |          |          |
| Muneer Ahmed     | Town of Colma               | (650) 757-8894  | Muneer.ahmed@colma.ca.gov         | X        |          | X        | X        | X        |
| Brad Donohue     | Town of Colma               | (650) 757-8888  | Brad.donohue@colma.ca.gov         | X        | X        |          |          |          |
| Jeff Fornesi     | City of Daly City           | (650) 991-5752  | jfornesi@dalcycity.org            |          |          |          |          |          |
| Jesse Myott      | City of Daly City           | (650) 991-8054  | jmyott@dalcycity.org              | X        | X        | X        |          |          |
| John Fuller      | City of Daly City           | (650) 991-8039  | jfuller@dalcycity.org             |          |          | X        |          |          |
| John Sanchez     | City of Daly City           |                 |                                   |          |          |          | X        | X        |
| Michelle Daher   | City of East Palo Alto      | (650) 853-3197  | mdaher@cityofepa.org              | X        | X        | X        |          |          |
| Jay Farr         | City of East Palo           | (650) 853-3105  | jfarr@cityofepa.org               |          |          |          |          |          |
| Norm Dorais      | City of Foster City         | (650) 286-3279  | ndorais@fostercity.org            |          |          | X        | X        |          |
| Larry Carnahan   | City of Half Moon Bay       | (650) 636-3753  | larryc@hmbcity.com                | X        | X        |          | X        | X        |
| Mo Sharma        | City of Half Moon Bay       |                 | mosharma@hmbcity.com              |          |          |          |          |          |
| Mark Lander      | City of Half Moon Bay       | (650) 522-2562  | markl@csgengr.com                 | X        | X        | X        |          |          |

| Name                | Agency                    | Phone               | E-Mail                        | 07/02/13 | 08/06/13 | 10/08/13 | 11/21/13 | 01/22/14 |
|---------------------|---------------------------|---------------------|-------------------------------|----------|----------|----------|----------|----------|
| Gary Francis        | Town of Hillsborough      |                     | gfrancis@hillsborough.net     |          |          |          |          |          |
| Catherine Chan      | Town of Hillsborough      | (650) 579-3353      | cchan@hillsborough.net        | X        | X        | X        | X        |          |
| Rebecca Fotu        | City of Menlo Park        | (650) 330-6740      | rfotu@menlopark.org           |          |          | X        |          |          |
| Vanessa Marcadejas  | City of Menlo Park        | (650) 330-6768      | VAMarcadejas@menlopark.org    | X        | X        | X        |          |          |
| Craig Centis        | City of Millbrae          | (650) 259-2369      | ccentis@ci.millbrae.ca.us     |          |          |          |          |          |
| Mike Killigrew      | City of Millbrae          |                     | mkilligrew@ci.millbrae.ca.us  |          | X        |          | X        | X        |
| Heather Henwood     | City of Millbrae          | (650) 259-2374      | hhenwood@ci.millbrae.ca.us    | X        | X        | X        | X        | X        |
| Raymund Donguines   | City of Pacifica          | (650) 738-3767      | donguinesr@ci.pacifica.ca.us  |          | X        | X        | X        |          |
| Elizabeth Claycomb  | City of Pacifica          |                     | Claycombe@ci.pacifica.ca.us   |          |          |          |          |          |
| Ron Fascenda        | City of Pacifica          | (650) 738-3762      | Fascendar@ci.pacifica.ca.us   | X        | X        | X        | X        |          |
| Bernie Mau          | City of Pacifica          | (650) 738-3775      | Maub@ci.pacifica.ca.us        | X        | X        |          | X        |          |
| Howard Young        | Town of Portola Valley    | (650) 851-1700 X214 | hyoung@portolavalley.net      |          |          |          |          |          |
| Rich Chaffey        | City of Redwood City      |                     | rchaffey@redwoodcity.org      |          |          |          |          |          |
| Terrance Kwan       | City of Redwood City      | (650) 780-7466      | TKyaw@redwoodcity.org         |          |          |          |          |          |
| Adrian Lee          | City of Redwood City      | (650) 780-7468      | alee@redwoodcity.org          |          | X        | X        | X        |          |
| Robert Wood         | City of San Bruno         | (650) 616-7046      | rwood@sanbruno.ca.gov         |          |          |          |          |          |
| Ted Chapman         | City of San Bruno         | (650) 616-7169      | TChapman@sanbruno.ca.gov      |          |          | X        | X        | X        |
| Paul Baker          | City of San Carlos        | (650) 802-4140      | pbaker@cityofsancarlos.org    | X        | X        | X        | X        | X        |
| Lou Duran           | City of San Carlos        | (650) 863-6782      | lduran@cityofsancarlos.org    |          |          | X        |          |          |
| Debra Bickel        | City of San Mateo         | (650) 522-7343      | dbickel@cityofsanmateo.org    |          |          |          |          |          |
| Larry Patterson     | City of San Mateo         | (650) 522-7303      | lpatterson@cityofsanmateo.org |          |          |          |          |          |
| Kristine Corneillie | LWA/City of San Mateo     | (408) 261-3996      | KrisC@lwa.com                 | X        | X        | X        | X        | X        |
| Rob Lecel           | City of So. San Francisco | (650) 829-3882      | rob.lecel@ssf.net             |          | X        |          | X        | X        |
| Cassie Prudhel      | City of So. San Francisco | (650) 829-3840      | cassie.prudhel@ssf.net        | X        |          |          |          |          |
| Shoshana Wolff      | City of So. San Francisco | (650) 829-3880      | shoshana.wolff@ssf.net        |          |          |          |          |          |
| Andrew Wemmer       | City of So. San Francisco | (650) 829-3883      | andrew.wemmer@ssf.net         | X        | X        | X        | X        | X        |
| Stephen Fischer     | County of San Mateo - DPW | (650) 599-7281      | SFischer@co.sanmateo.ca.us    | X        |          |          | X        |          |
| Julie Casagrande    | County of San Mateo - DPW | (650) 599-1457      | jasagrande@co.sanmateo.ca.us  | X        | X        | X        | X        | X        |
| Diana Shu           | County of San Mateo       |                     | dshu@co.sanmateo.ca.us        |          |          |          |          |          |
| Lillian Clark       | County of San Mateo       |                     | lclark@co.sanmateo.ca.us      |          |          |          |          |          |
| Steve Balestieri    | County of San Mateo       |                     |                               |          |          |          |          |          |
| Cara Bautista       | County of San Mateo       |                     |                               |          |          |          | X        | X        |
| Steven Stolte       | County of San Mateo       |                     |                               |          |          |          | X        | X        |

| Name                 | Agency                                    | Phone               | E-Mail                        | 07/02/13  | 08/06/13  | 10/08/13  | 11/21/13  | 01/22/14  |
|----------------------|---|---------------------|-------------------------------|-----------|-----------|-----------|-----------|-----------|
| Tim Swillinger       | County of San Mateo- Environmental Health | (650) 372-6245      | tswillinger@co.sanmateo.ca.us |           | X         |           |           |           |
| James Counts         | SMC Mosquito and Vector Control District  | (650) 642-4846      | james@smcmad.org              |           |           |           |           |           |
| Chindi Peavey        | SMC Mosquito and Vector Control District  | (650) 344-8592      | cpeavey@smcmad.org            |           |           |           |           |           |
| Dong Nguyen          | Town of Woodside                          | (650) 851-6790      | dnguyen@woodsidetown.org      | X         | X         | X         |           | X         |
| Monica Devincenzi    | SBWMA/RethinkWaste                        | (650) 802-3509      | mdevincenzi@rethinkwaste.org  |           |           | X         |           |           |
| Chris Sommers        | EOA, Inc.                                 | (510) 832-2852 X109 | csommers@eoainc.com           |           | X         | X         | X         |           |
| John Fusco           | EOA, Inc.                                 | (510) 832-2852 X130 | jrfusco@eoainc.com            |           | X         | X         | X         |           |
| Kristin Kerr         | EOA, Inc.                                 | (510) 832-2852 X122 | kakerr@eoainc.com             |           |           |           |           | X         |
| <b>No. Attending</b> |   |                     |                               | <b>25</b> | <b>29</b> | <b>30</b> | <b>26</b> | <b>21</b> |

**Trash Committee Meeting Summary**  
**City of Millbrae, Chetcuti Room, 450 Poplar Avenue, Millbrae**

**Meeting Date:** March 4, 2014

**Subcommittee Actions:**

1. Countywide Program staff will discuss with the SMCWPPP coordinator the potential development of a procurement process for Permittees to access small and large full-capture device vendors.
2. Countywide Program staff will begin conducting on-land visual assessments in the fourth quarter of FY 13-14 in coordination with Permittees.
3. Countywide Program staff will begin developing a full capture device operation and maintenance verification program as part of the SMCWPPP Trash Assessment Strategy.

**Requested Technical Advisory Committee Action or Feedback/Guidance (if any):** None.

**Other Information/Announcements:**

- **Trash-related Updates** – Chris provided the following trash-related updates.
  - Tracking California's Trash Prop 84 Grant – Chris provided an update of the Proposition 84 Stormwater Monitoring and Planning grant awarded entitled "Tracking California's Trash". The agreement between BASMAA and the SWRCB has been executed and the project began in late August 2013. Monitoring contractors have been selected. A Project Management Team comprised of BASMAA staff and monitoring contractors will meet in March 2014. Project partners are currently being identified and a technical advisory committee (TAC) is also under development. The TAC is intended to provide guidance on the design and implementation of the project. The first TAC meeting is anticipated for early/mid 2014. Updates on the grant project will be provided at Trash Committee meetings. The project is scheduled to be completed by December 31, 2016.
  - Statewide Trash Amendments – The State Water Board has continued to develop draft amendments to the California Ocean Plan and the Inland Surface Waters, Enclosed Bays, and Estuaries Plan and is close to releasing the Substitute Environmental Document (SED) required by CEQA. It is anticipated that the SED will be released the week of March 10, 2014. A public hearing regarding the document will likely be held in spring 2014. A State Board Workshop may also be conducted this spring. Adoption by the State Board is currently scheduled for spring 2014. Countywide Program staff will continue to track the development of the Amendments, identify aspects that may conflict with the Long-Term Plan framework developed in collaboration with Regional Water Board (Region 2) staff, and recommend next steps to the Trash Committee.
  - Identifying Optimal Large Trash Capture Device Locations Project – Fugro Consultants is assisting the Program with delineating catchment areas for outfalls and creek culverts with a

diameter of 24 inches or larger. The purpose of the project is to identify catchment areas where large full-capture devices may be installed. Chris stated that draft catchment area maps should be completed within the next few weeks.

- **FY 13-14 Annual Reporting Format Development** – On March 10, a meeting has been scheduled with BASMAA representatives and Water Board staff to discuss the development of the FY 13-14 Annual Reporting Format. The purpose of the meeting is to start defining what the Annual Report Format will look like and discuss expectations on how to demonstrate the 40 % trash load reduction goal required by July 1, 2014. It is anticipated that the proposed FY 13-14 Annual Report Format for trash will be submitted to the Water Board in May 2014.
- **Full Capture Operation and Maintenance Verification Plan** –Countywide Program staff will be developing a trash full capture operation and maintenance procedures and verification plan (O&M Plan) for large and small devices installed within individual jurisdictions. The purpose of the O&M Plan is to ensure continued achievement of the full-capture treatment standard. It will describe required inspection and maintenance program elements and provide necessary tools (e.g., trash full-capture device inspection and maintenance fact sheets, maintenance standards, inspection and maintenance forms) needed for successful Plan implementation. It is anticipated that the O&M Plan will be completed by June 2014.
- **Process of Selecting Full-Capture Device Vendors** – Chris asked meeting participants if there was any interest in the Program developing a procurement process that would allow Program participants to access small and large full-capture device vendors. This process would involve obtaining pricing from vendors and setting up a procurement process that Program participants could use collectively. It would eliminate the need for each Permittee to obtain separate pricing and go through a separate vendor selection process. Meeting participants agreed that going through this process would be helpful. Chris suggested that he discuss this item with Matt Fabry and report back to the Committee at the next meeting.
- **On-land Visual Trash Assessments** – Chris stated that the SMCWPPP Pilot Trash Assessment Strategy was submitted to the Water Board on February 3, 2014. Chris distributed the draft proposed allotment of on-land visual assessment sites by jurisdiction. He mentioned that each Permittee was assigned a minimum of two sites and that the total number assigned to each Permittee was based on the average of the relative population and relative trash generating areas. The City of San Mateo was assigned the most sites (n=20). Chris mentioned that a total of 150 assessments are planned throughout the Program's jurisdiction each quarter, beginning in the fourth quarter of FY 13-14 and continuing throughout FY 14-15. Countywide Program staff will be conducting the assessments. Guidance on selection of assessment sites will be provided to participants by Program staff in late March or early April.

**Subcommittee Work That Affects Other Subcommittees:** Reducing trash from MS4s involves multiple subcommittees.

**Next Meeting Date:** The next meeting will be held on Wednesday, **April 30, 2014**, 10:00-12:00.



## Trash Work Group Meeting Attendance – FY 2013/14

| Name             | Agency                      | Phone           | E-Mail                            | 07/02/13 | 08/06/13 | 10/08/13 | 11/21/13 | 01/22/14 | 03/04/14 |
|------------------|-----------------------------|-----------------|-----------------------------------|----------|----------|----------|----------|----------|----------|
| Steve Tyler      | Town of Atherton            | (650) 752-0541  | styler@ci.atherton.ca.us          |          |          |          |          |          |          |
| Andrea Mardesich | Town of Atherton            | (650) 752-0544  | amardesich@ci.atherton.ca.us      |          |          | X        |          |          | X        |
| Randy Ferrando   | City of Belmont             | (650) 595-7464  | rferrando@belmont.gov             |          | X        | X        | X        | X        | X        |
| Tim Murray       | City of Belmont             | (650) 222-6460  | tmurray@belmont.gov               | X        | X        | X        | X        |          | X        |
| Leticia Alvarez  | City of Belmont             | (650) 595-7469  | lalvarez@belmont.gov              | X        |          |          |          |          |          |
| Matt Fabry       | SMCWPPP Program Coordinator | (650) 599-1410  | mfabry@co.sanmateo.ca.us          |          |          |          |          | X        |          |
| Diane Cannon     | City of Brisbane            | (415) 508-2130  | dcannon@ci.brisbane.ca.us         | X        | X        |          |          |          |          |
| Shelley Romriell | City of Brisbane            | (415) 508-2128  | sromriell@ci.brisbane.ca.us       |          |          |          |          |          |          |
| Keegan Black     | City of Brisbane            | (415) 728-7986  | kblack@ci.brisbane.ca.us          | X        | X        |          |          | X        |          |
| Karen Kinser     | City of Brisbane            | (415) 508-2133  | kkinser@ci.brisbane.ca.us         |          |          |          |          |          |          |
| Randy Breault    | City of Brisbane            | (415) 508-2131  | rbreault@ci.brisbane.ca.us        | X        | X        | X        |          |          | X        |
| Vincent Falzon   | City of Burlingame          | (650) 558-7679  | vfalzon@burlingame.org            |          |          |          |          | X        |          |
| Peter Gaines     | City of Burlingame          | (650) 558-7672  | pgaines@burlingame.org            | X        |          |          |          |          |          |
| John Baack       | City of Burlingame          |                 | JBaack@burlingame.org             |          |          |          |          |          |          |
| Stephen Daldrup  | City of Burlingame          | (650) 342- 3727 | Stephen.dalrup@veoliawaterna.com  | X        | X        | X        |          | X        |          |
| Rob Mallick      | City of Burlingame          | (650) 558-7673  | rmallick@burlingame.org           |          |          | X        |          |          |          |
| Eva Justimbaste  | City of Burlingame          | (650) 342-3727  | eva.justimbaste@veoliawaterna.com |          |          |          | X        |          |          |
| Louis Gotelli    | Town of Colma               | (650) 333-0295  | louis.gotelli@colma.ca.gov        |          | X        | X        | X        | X        | X        |
| Phil Scramaglia  | Town of Colma               |                 | phil@csgengr.com                  |          |          |          |          |          |          |
| Muneer Ahmed     | Town of Colma               | (650) 757-8894  | Muneer.ahmed@colma.ca.gov         | X        |          | X        | X        | X        | X        |
| Brad Donohue     | Town of Colma               | (650) 757-8888  | Brad.donohue@colma.ca.gov         | X        | X        |          |          |          |          |
| Jeff Fornesi     | City of Daly City           | (650) 991-5752  | jfornesi@dalycity.org             |          |          | X        |          |          |          |
| Jesse Myott      | City of Daly City           | (650) 991-8054  | jmyott@dalycity.org               | X        | X        | X        |          |          |          |
| John Fuller      | City of Daly City           | (650) 991-8039  | jfuller@dalycity.org              |          |          | X        |          |          |          |
| John Sanchez     | City of Daly City           | (650) 991-8265  | jsanchez@dalycity.org             |          |          |          | X        | X        | X        |
| Michelle Daher   | City of East Palo Alto      | (650) 853-3197  | mdaher@cityofepa.org              | X        | X        | X        |          |          | X        |
| Jay Farr         | City of East Palo           | (650) 853-3105  | jfarr@cityofepa.org               |          |          |          |          |          |          |
| Norm Dorais      | City of Foster City         | (650) 286-3279  | ndorais@fostercity.org            |          |          | X        | X        |          | X        |
| Larry Carnahan   | City of Half Moon Bay       | (650) 636-3753  | larryc@hmbcity.com                | X        | X        |          | X        | X        |          |
| Mo Sharma        | City of Half Moon Bay       |                 | mosharma@hmbcity.com              |          |          |          |          |          |          |
| Mark Lander      | City of Half Moon Bay       | (650) 522-2562  | markl@csgengr.com                 | X        | X        | X        |          |          | X        |
| Gary Francis     | Town of Hillsborough        |                 | gfrancis@hillsborough.net         |          |          |          |          |          | X        |

| Name                | Agency                                       | Phone               | E-Mail                        | 07/02/13 | 08/06/13 | 10/08/13 | 11/21/13 | 01/22/14 | 03/04/14 |
|---------------------|--|---------------------|-------------------------------|----------|----------|----------|----------|----------|----------|
| Catherine Chan      | Town of Hillsborough                         | (650) 579-3353      | cchan@hillsborough.net        | X        | X        | X        | X        |          | X        |
| Rebecca Fotu        | City of Menlo Park                           | (650) 330-6740      | rfotu@menlopark.org           |          |          | X        |          |          |          |
| Vanessa Marcadejas  | City of Menlo Park                           | (650) 330-6768      | VAMarcadejas@menlopark.org    | X        | X        | X        |          |          |          |
| Craig Centis        | City of Millbrae                             | (650) 259-2369      | ccentis@ci.millbrae.ca.us     |          |          |          |          |          |          |
| Mike Killigrew      | City of Millbrae                             | (650) 259-2374      | mkilligrew@ci.millbrae.ca.us  |          | X        |          | X        | X        | X        |
| Heather Henwood     | City of Millbrae                             | (650) 259-2374      | hhenwood@ci.millbrae.ca.us    | X        | X        | X        | X        | X        | X        |
| Raymund Donguines   | City of Pacifica                             | (650) 738-3767      | donguinesr@ci.pacifica.ca.us  |          | X        | X        | X        |          | X        |
| Ron Fascenda        | City of Pacifica                             | (650) 738-3762      | Fascendar@ci.pacifica.ca.us   | X        | X        | X        | X        |          | X        |
| Bernie Mau          | City of Pacifica                             | (650) 738-3775      | Maub@ci.pacifica.ca.us        | X        | X        |          | X        |          |          |
| Howard Young        | Town of Portola Valley                       | (650) 851-1700 X214 | hyoung@portolavalley.net      |          |          |          |          |          |          |
| Rich Chaffey        | City of Redwood City                         |                     | rchaffey@redwoodcity.org      |          |          |          |          |          |          |
| Terrance Kwan       | City of Redwood City                         | (650) 780-7466      | TKyaw@redwoodcity.org         |          |          |          |          |          |          |
| Adrian Lee          | City of Redwood City                         | (650) 780-7468      | alee@redwoodcity.org          |          | X        | X        | X        |          | X        |
| Jim Burch           | City of San Bruno                            | (650) 616-7179      | jburch@sanbruno.ca.gov        |          |          |          |          |          | X        |
| Robert Wood         | City of San Bruno                            | (650) 616-7046      | rwood@sanbruno.ca.gov         |          |          |          |          |          |          |
| Ted Chapman         | City of San Bruno                            | (650) 616-7169      | TChapman@sanbruno.ca.gov      |          |          | X        | X        | X        | X        |
| Paul Baker          | City of San Carlos                           | (650) 802-4140      | pbaker@cityofsancarlos.org    | X        | X        | X        | X        | X        | X        |
| Lou Duran           | City of San Carlos                           | (650) 863-6782      | lduran@cityofsancarlos.org    |          |          | X        |          |          |          |
| Debra Bickel        | City of San Mateo                            | (650) 522-7343      | dbickel@cityofsanmateo.org    |          |          |          |          |          |          |
| Larry Patterson     | City of San Mateo                            | (650) 522-7303      | lpatterson@cityofsanmateo.org |          |          |          |          |          |          |
| Sarah Scheidt       | City of San Mateo                            | (650) 522-7385      | sscheidt@cityofsanmateo.org   |          |          |          |          |          | X        |
| Kristine Corneillie | LWA/City of San Mateo                        | (408) 261-3996      | KrisC@lwa.com                 | X        | X        | X        | X        | X        |          |
| Rob Lecel           | City of So. San Francisco                    | (650) 829-3882      | rob.lecel@ssf.net             |          | X        |          | X        | X        | X        |
| Cassie Prudhel      | City of So. San Francisco                    | (650) 829-3840      | cassie.prudhel@ssf.net        | X        |          |          |          |          |          |
| Andrew Wemmer       | City of So. San Francisco                    | (650) 829-3883      | andrew.wemmer@ssf.net         | X        | X        | X        | X        | X        | X        |
| Stephen Fischer     | County of San Mateo - DPW                    | (650) 599-7281      | SFischer@co.sanmateo.ca.us    | X        |          |          | X        |          |          |
| Julie Casagrande    | County of San Mateo - DPW                    | (650) 599-1457      | jasagrande@co.sanmateo.ca.us  | X        | X        | X        | X        | X        | X        |
| Diana Shu           | County of San Mateo                          |                     | dshu@co.sanmateo.ca.us        |          |          |          |          |          |          |
| Lillian Clark       | County of San Mateo                          |                     | lclark@co.sanmateo.ca.us      |          |          |          |          |          |          |
| Steve Balestieri    | County of San Mateo                          |                     |                               |          |          |          |          |          | X        |
| Cara Bautista       | County of San Mateo                          | (650) 363-4125      | cxbautista@smcgov.org         |          |          |          | X        | X        | X        |
| Stephen Stolte      | County of San Mateo                          | (650) 363-4133      | sstolte@smcgov.org            |          |          |          | X        | X        | X        |
| Tim Swillinger      | County of San Mateo-<br>Environmental Health | (650) 372-6245      | tswillinger@co.sanmateo.ca.us |          | X        |          |          |          |          |

| Name                 | Agency                                   | Phone               | E-Mail                       | 07/02/13  | 08/06/13  | 10/08/13  | 11/21/13  | 01/22/14  | 03/04/14  |
|----------------------|--|---------------------|------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| James Counts         | SMC Mosquito and Vector Control District | (650) 642-4846      | james@smcmad.org             |           |           |           |           |           |           |
| Chindi Peavey        | SMC Mosquito and Vector Control District | (650) 344-8592      | cpeavey@smcmad.org           |           |           |           |           |           |           |
| Dong Nguyen          | Town of Woodside                         | (650) 851-6790      | dnguyen@woodsidetown.org     | X         | X         | X         |           | X         |           |
| Monica Devincenzi    | SBWMA/RethinkWaste                       | (650) 802-3509      | mdevincenzi@rethinkwaste.org |           |           | X         |           |           |           |
| Chris Sommers        | EOA, Inc.                                | (510) 832-2852 X109 | csommers@eoainc.com          |           | X         | X         | X         | X         | X         |
| John Fusco           | EOA, Inc.                                | (510) 832-2852 X130 | jrfusco@eoainc.com           |           | X         | X         | X         | X         | X         |
| Kristin Kerr         | EOA, Inc.                                | (510) 832-2852 X122 | kakerr@eoainc.com            |           |           |           |           | X         | X         |
| <b>No. Attending</b> |  |                     |                              | <b>25</b> | <b>29</b> | <b>31</b> | <b>26</b> | <b>23</b> | <b>30</b> |

**DRAFT SUMMARY**  
**Municipal Maintenance Subcommittee Meeting – Millbrae Library Room A**

**Meeting Date:** March 26, 2014

**Subcommittee Actions:**

1. Agreed that the summary of the January 2014 subcommittee meeting was acceptable.

**Requested Technical Advisory Committee Action or Feedback/Guidance (if any):** None

**Other Information/Announcements:**

- **Open Forum Discussion on Maintenance Issues.** A representative from the San Mateo County Mosquito and Vector Control District attended the meeting. The District offers a free service to eliminate yellow jacket nests in residential or municipal owned areas for all cities. You must know where the nest is located. Call 650-344-8592 for this service. The District will also conduct inspections of sewer manholes and creeks where Dewey Pest Control has set rodent traps to ensure they are being maintained.

An email was sent to the Subcommittee with the Draft Annual Report form before it was submitted to the Regional Water Board for approval. There were no changes to the municipal maintenance section C.4. Section C.7.a., related to percent of municipal storm drain stencils inspected and/or maintained, was removed from this year's form.

Subcommittee members indicated they had conducted two wet weather pump station inspections to meet the MRP requirements. Reminder emails will be sent at a later date for the dry weather pump station DO samples and the Corporation Yard pre-wet weather inspections.

- **Trash Full Capture Device O&M Verification Program.** A trash capture device operation and maintenance (O&M) verification project is being developed through the Trash Subcommittee. In addition to the project requirements for the Trash Subcommittee, EOA is developing an O&M standard operating procedure and training materials for trash capture devices. The group discussed how they only document inspection only activities at the devices. A request was made for the SOPs and/or O&M Verification Program to include a suggested records retention time period.

John Fusco with EOA will be contacting agencies to arrange going out in the field with maintenance staff as they inspect and clean the different types of devices. Kristin handed out a matrix that indicates the type of device, by manufacturer, that each city has installed. City contact names and numbers are also on the table. The Subcommittee agreed that Kristin could email this table with the contacts to the group.

- **Update on BASMAA Municipal Operations Subcommittee.** The BASMAA PIP Subcommittee will not be purchasing Illicit Discharge Detection and Elimination (IDDE) videos

by Excal Visual to use for public outreach. The SMCWPPP PIP Subcommittee is now considering if the Program should buy these videos. These could also be useful for outreach to new agency/municipal maintenance personnel. Kristin will let the group know if SMCWPPP purchases the videos.

**Subcommittee Work that Affects Other Subcommittees:** None

**Next Steps:** Kristin will email the Subcommittee the full capture device types and vendors matrix.

**Next Meeting:** The next meeting will be held on August 27, 2014.

Status of California Stormwater Quality Related Policies and Permits (Active)

April 2014

| Policy/Permit/Objective                            | Lead Regulatory Agency  | Status of Regulatory Action   | Comments Due                                  | Status of Comments  |
|--|-------------------------|---|---|---|
| <b>NPDES Permits</b>                               |                         |   |   |   |
| CalTrans NPDES Stormwater Permit                   | SWRCB                   | The final CalTrans NPDES Stormwater Permit was adopted at public hearing on 9/19/12 and became effective on 7/1/13. The permit has a "reopener" clause for the receiving water limitation language. The permit has been reopened to add TMDL implementation language. The draft amendment was released for public review on 2/12/14; comments are due 3/28/14.  | Comments on draft TMDL amendment due 3/28/14. | Program staff will continue to track permit activity, and work with BASMAA and CASQA on the development of comment letters.   |
| Industrial Stormwater NPDES Permit                 | SWRCB                   | A revised final draft permit was released on 2/19/14 with public comments on the revisions due 3/4/14 . Adoption is scheduled for 4/1/14. SWRCB staff will recommend that the final permit become effective around 1/1/15.  | Comments on recent revisions due 3/4/14.      | Program staff will continue to track permit activity and CASQA efforts.   |
| Construction General Permit Reissuance             | SWRCB                   | Reissuance process will begin Spring 2014. Target effective date is July 1, 2015. SWRCB staff anticipate this will be a "tune up" effort to fix significant problems or issues.   | NA  | CASQA Construction Subcommittee is tracking and providing input. SCVURPPP staff will track via Subcommittee participation.  |
| Statewide Phase I MS4 Stormwater Permit Work Group | SWRCB, RWQCBs and CASQA | The CASQA Executive Director, Chair, and several Board members participated in 14 meetings with a Statewide Work Group made up of SWRCB and RWQCB staff, to discuss improvements to the MS4 permit process and create consistency across the state. Products included a series of guiding principles and an annotated template for a municipal stormwater permit. SWRCB staff is vetting products with RWQCB staffs and getting some resistance in Regions 4 and 9, which have adopted or are in the process of adopting MS4 permits. CASQA has provided updates to Phase I MS4 program managers in several conference calls. SWRCB staff have stated that completion of this effort is not a high priority at this time and the timeframe for distribution of products to MS4s is unknown. | NA  | Program staff have been tracking but have had limited opportunity to participate. Staff are continuing to push for release of draft documents for MS4 stakeholder review. |

Status of California Stormwater Quality Related Policies and Permits (Active)

April 2014

| Policy/Permit/Objective                         | Lead Regulatory Agency  | Status of Regulatory Action  | Comments Due | Status of Comments  |
|---|-------------------------|--|--------------|---|
| Assessing Costs of Compliance Stakeholder Group | SWRCB, RWQCBs and CASQA | The State Water Board has convened a statewide stakeholder group made up of SWRCB and RWQCB staff and regulated dischargers to initiate an assessment of the costs of compliance with waste discharge requirements, including NPDES stormwater and wastewater permits, irrigated lands, and waste discharge to land. The goal of the assessment will be to identify potential opportunities to reduce compliance costs without hindering the Water Boards' ability to protect water quality. The kick-off meeting was held on 10/24/12. Permittees have been asked to form stakeholder groups, and the CASQA Executive Director Geoff Brosseau is leading the stormwater group. The stormwater group prepared a matrix of key cost drivers and ways to reduce the cost of permit compliance, and presented information to the State Board on 1/22/13, with progress updates on 4/9/13 and 6/18/13. | NA           | Program staff are participating in the stormwater stakeholder group, and will provide updates when input and comments are needed.             |
| <b>Statewide Policies/Objectives</b>            |                         |  |              |   |
| Declaration of Drought Emergency                | SWRCB                   | On 1/17/14, the Governor declared a drought emergency. There may be curtailment to the water rights holders in response to the declaration. Fish habitat releases from reservoirs to some streams have been temporarily stopped.   | NA           | The implications of the declaration for MS4s will be tracked by CASQA.  |
| Stormwater Strategic Work Plan                  | SWRCB                   | The State Water Board will initiate a storm water strategic planning effort in Spring 2014. This collaborative effort will produce a strategic workplan characterizing the breadth of the storm water program to better integrate watershed management, multiple-benefit, and source-control interests into the core regulatory program while improving program efficiency and effectiveness. A kickoff with stakeholders is planned for early April 2014, and a final product is anticipated by October 2014.   | NA           | CASQA will track progress and try to participate in the development of the Stormwater Strategic Work Plan by engaging with Water Board staff. |

Status of California Stormwater Quality Related Policies and Permits (Active)

April 2014

| Policy/Permit/Objective  | Lead Regulatory Agency | Status of Regulatory Action  | Comments Due | Status of Comments   |
|--|------------------------|--|--------------|--|
| Statewide Mercury Policy and Statewide Program for Controlling Mercury in Reservoirs | SWRCB                  | Following CEQA Scoping in 2012, SWRCB staff are currently working on the technical analysis for the mercury policy (conceptual model, source analysis, linkage between sources and fish tissue concentrations, and implementation ideas) and drafting a regulatory program. On 4/23/13, RWQCB and SWRCB staff updated SWRCB members on several mercury programs, including the development of a Statewide Mercury Control Program for Reservoirs and the Mercury Objectives Project. The update served as an information item and no action was taken by the SWRCB at the meeting. Subsequent presentations were made to EPA 9/26/13 and NALMS 11/1/13 and a Fact Sheet describing the conceptual model was posted in September 2013. The Statewide Mercury Program is expected to undergo peer review in a series of stakeholder meetings Feb 2014 - Jun 2014 and be presented to the SWRCB in July 2014. | NA           | Based on review of CEQA scoping issues, Program staff decided comments were not needed at this point in the process. Staff will continue to track the development of the Policy. |



Status of California Stormwater Quality Related Policies and Permits (Active)

April 2014

| Policy/Permit/Objective   | Lead Regulatory Agency | Status of Regulatory Action  | Comments Due | Status of Comments   |
|---|------------------------|--|--------------|--|
| Receiving Water Limitation (RWL) Provision for Stormwater NPDES Permits | SWRCB & RWQCB          | CASQA is working with the SWRCB staff to address the uncertainties created by a July 2011 Ninth Circuit Court of Appeals decision regarding the iterative process municipal stormwater NPDES permittees are required to follow for exceedances of water quality standards caused or contributed by MS4 discharges, by amending the receiving water limitations provisions in future permits. SWRCB staff asked CASQA to provide ideas for how to improve the iterative process so that it is more formal, specific and ensures more accountability. At the 2/5/13 workshop for adoption of the Phase II permit (which did not include revised RWL language), the SWRCB directed executive staff to report back in 30-60 days with options for a process to consider changes to the current RWL language. On 5/28/13, CASQA met with SWRQB staff to begin development of revisions to RWL language. The SWRCB indicated that RWL revisions will be completed through the appeals process of the LA MS4 permit. On 8/15/13, CASQA submitted comments recommending model language for the RWL provision. The SWRCB is now planning to address the RWL provision as part of its response to petitions filed on the recently adopted Los Angeles stormwater permit. The response is expected in April 2014. | NA           | The CASQA Policy and Permitting Subcommittee is continuing to track the progress of the SWRCB and the LA MS4 permit petition process and plans to meet with SWRCB staff to discuss its participation in the process. |
| Policy for Toxicity Assessment and Control                              | SWRCB                  | The Public Review Draft Policy for Whole Effluent Toxicity Assessment and Control and Staff Report was released by the SWRCB on 6/27/12 with public comments due by 8/21/12. A public hearing was held on 8/21/12. SWRCB staff is currently preparing responses to public comments and revising several aspects of the Public Review Draft Policy and Staff Report. SWRCB legal staff are requiring the Policy to be repackaged as an amendment to Basin Plans. The Policy was supposed to be presented to the SWRCB in late 2013. As currently written, the policy pertains mostly to POTW discharges.  | NA           | CASQA submitted comments on the Public Review Draft Policy on 8/21/12. The CASQA Science and Monitoring Subcommittee has been closely reviewing the Policy.  |

Status of California Stormwater Quality Related Policies and Permits (Active)

April 2014

| Policy/Permit/Objective   | Lead Regulatory Agency | Status of Regulatory Action  | Comments Due | Status of Comments   |
|---|------------------------|--|--------------|--|
| Wetland and Riparian Area Protection Policy                                   | SWRCB                  | On 1/28/13, SWRCB released a Revised Preliminary Draft Wetland Area Protection Policy for informational purposes. The Draft Policy with an environmental review document (EIR) is scheduled to be released later this year for public comment.   | NA           | Program staff reviewed NOP and determined that a comment letter was not needed at this point in the process. BASMAA also came to the same conclusion based on an analysis developed by Gary Grimm (ACCWP Attorney). Program staff will continue to track the development of this Policy. |
| Trash Policy (now called Amendments to the State Water Quality Control Plans) | SWRCB                  | Goal of policy is to regulate trash using a statewide policy rather than through individual TMDLs. The Policy was renamed "Amendments to the State Water Quality Control Plans" because there are new water quality objectives which will be incorporated into the California Ocean Plan, Inland Surface Waters Plan, and the Estuary and Enclosed Bays Plan. One Substitute Environmental Document (SED) will be developed and all Amendments will come from the SED. SWRCB staff conducted five informal "stakeholder" meetings with NGOs, Phase I and II MS4s, Industry and Water Board Staff in April 2013. On 5/24/13, SWRCB staff held a "lessons learned" meeting with San Francisco Bay and Los Angeles area MS4 permittees to discuss implementation issues with "enhanced" trash controls. A draft Amendment package (including the Amendment language, SED, staff report and environmental check list) is nearly ready for public release (March 2014) with adoption proposed in early spring 2014. Formal workshops will be held shortly thereafter. | NA           | CASQA Executive Director is participating on the Public Advisory Group. Program staff will continue to track the development of the Trash Amendments and will evaluate the draft policy/amendment when released and discuss the need for comments.                                       |

Status of California Stormwater Quality Related Policies and Permits (Active)

April 2014

| Policy/Permit/Objective                             | Lead Regulatory Agency | Status of Regulatory Action  | Comments Due | Status of Comments   |
|---|------------------------|--|--------------|--|
| Biological Objectives for Wadable Perennial Streams | SWRCB                  | Biological objectives are being developed through a 3-year process. In September 2012, SRCWB staff held four informal staff workshops to discuss and solicit comments and suggestions from the public on a proposed Statewide Biological Objectives Policy and Program of Implementation for Perennial, Wadeable Streams. Efforts to develop a Policy are in the CEQA scoping phase, and three alternatives have been identified. The Science Team produced draft manuscripts documenting the technical work in technical reports to support development of the State's biological objectives policy, and released them for Science Advisory Group and stakeholders' review and comment on 5/2/13. Joint Stakeholder/Regulatory Advisory Group meetings were held in 2013 to discuss the three technical documents, major implementation issues raised by the regulated community, and regulatory options. Stakeholder meetings have continued in 2014 and Program staff have participated in all meetings. The SWRCB is targeting the release of a draft policy/amendment in 2014, with adoption in 2015. | NA           | CASQA submitted comments on the policy alternatives and suggested an implementation framework on 10/19/12. CASQA representatives (including Program staff) met with the SWRCB staff on 2/12/14. In preparation for the meeting, a preliminary draft flowchart was developed showing how bio-objectives could be implemented on a statewide basis. Program staff will continue to participate in discussions with SWRCB staff (through CASQA) and work with other stormwater Permittees on responses to the proposed amendments/policy. |
| <b>SF Bay Policies/Objectives</b>                   |                        |  |              |  |
| Nutrient Numeric Endpoints (NNEs) for SF Bay        | SWRCB & RWQCB          | The SWRCB and RWQCB are beginning the process of developing NNEs specific to SF Bay. Draft literature review and data gaps were released to stakeholder advisory group (SAG) for comments by 6/7/11. SAG meetings held on 3/29/12 and 6/22/12 discussed the development of a Draft Nutrient Management Strategy and prioritized the work effort over the next 1-5 years. The SAG meeting held 11/19/12 discussed a Revised Nutrient Management Strategy, proposed Work Plan for the Development of a Nutrient Assessment Framework for San Francisco Bay and revised project schedule. SAG meetings were held 3/8/13, 6/6/13, and 12/6/13. A Nutrient Loading Report prepared by SFEI was released on 1/23/14.   | NA           | Based on review of documents, Program comments not needed at this stage of development of the Draft Nutrient Management Strategy. SFEI's Nutrient Loading Report was funded by the RMP. Program staff plan to continue tracking the development of the NNEs for SF Bay.  |

Status of California Stormwater Quality Related Policies and Permits (Active)

April 2014

| Policy/Permit/Objective            | Lead Regulatory Agency | Status of Regulatory Action  | Comments Due | Status of Comments   |
|------------------------------------|------------------------|--|--------------|--|
| <b>Federal Policies/Guidance</b>   |                        |  |              |  |
| EPA Residual Designation Petitions | US EPA                 | Petitions were filed in July 2013 in EPA Regions 1, 3 and 9 by NRDC, California Coastkeeper and others requesting that EPA use its residual designation authority to require NPDES permits for all non-de minimis stormwater discharges from commercial, industrial and institutional (CII) facilities discharging into impaired waters. Region 9 is coordinating its response with the other Regions and EPA HQ and final determinations are expected in February 2014. Unclear how this will affect MS4 programs and responsibilities. | NA           | CASQA Policy and Permitting Subcommittee is tracking this issue. CASQA representatives plan to meet with the new Region 9 Director of Water Jane Diamond in the near future. |

NA = Not Applicable

TBD = To Be Determined

**Status of California Stormwater Quality Related Policies and Permits (Completed)**

**April 2014**

| Policy/Permit/Objective        | Lead Regulatory Agency | Status of Regulatory Action  | Status of Comments/Next Steps  |
|--------------------------------|------------------------|--|--|
| <b>NPDES Permits</b>           |                        |  |  |
| Construction General Permit    | SWRCB                  | Permit adopted 9/2/09 and took effect 7/1/10. CBIA challenged the numeric effluent limits (NELs) for pH and turbidity. As a result of Superior Court decision on 12/27/11, NELs are no longer in effect, receiving water monitoring requirements are suspended, and SWRCB has amended the CGP. The final Construction General Permit amendments were adopted at public hearing on 7/17/12.   | CASQA's Construction Subcommittee prepared and submitted comments dated 5/14/12. Task to track reissuance of the State Construction General Permit is complete. No further tracking is necessary.                                |
| NDPES Permit for Phase II MS4s | SWRCB                  | The Phase II Small MS4 General Permit was adopted on 2/5/13. The final permit includes a reopener clause to accomodate possible policy changes and will become effective on 7/1/13. SWRCB staff conducted seven informal workshops in May and June 2013 to provide guidance on how to implement the new permit. A guidance document template for traditional and non-traditional Permittees, and a guide to the guidance document requirements were posted on the SWRCB website on 3/7/13. | CASQA and BASMAA submitted comments by the 12/17/12 deadline. CASQA gave a presentation at the 1/8/13 workshop. Task to track reissuance of the Phase II Small MS4 General Permit is complete. No further tracking is necessary. |

# Status of California Stormwater Quality Related Policies and Permits (Completed)

April 2014

| Policy/Permit/Objective  | Lead Regulatory Agency | Status of Regulatory Action   | Status of Comments/Next Steps  |
|--|------------------------|---|--|
| <b>Statewide Policies/Objectives</b>   |                        |   |  |
| NPDES Fees   | SWRCB                  | Fee schedule adopted on 9/19/11 with a 35% increase for MS4s. BIA sued SWRCB over increases in adopted fee schedule. At a SWRCB Water Quality Fee Stakeholder meeting held on 5/31/13, Division of Finance staff reported that they expect to propose a 30.9 % increase in stormwater permit fees. The increase would affect all three permit types (i.e., Construction, Industrial and Municipal) for FY 2013-2014. Increased NPDES fees for FY 2013-14 are posted on the SWRCB website. | Staff will continue to track any movement on this issue into the future.   |
| <b>SF Bay Policies/Objectives</b>  |                        |   |  |
| Enterococcus Water Quality Objectives for SF Bay   | RWQCB & SWRCB          | Basin Plan amendment adopted by RWQCB on 4/14/10 and approved by SWRCB on 4/5/11. RWQCB website lists this amendment as having received all of the approvals needed to be incorporated into the Basin Plan.   | Comments submitted to SWRCB on 3/3/11. Task to track development and approval of these water quality objectives is complete. No further tracking is necessary. |
| Addition of Beneficial Uses and Water Bodies to SF Bay Water Quality Control Plan (Basin Plan) | RWQCB                  | RWQCB adopted in July 2010 resolution to update Basin Plan with water bodies and associated beneficial uses. SWRCB accepted additional comments in July 2011. On 12/5/11, SWRCB adopted Resolution No. 2011-0058 that approved the amendment to the Basin Plan. OAL approved this amendment, and USEPA approved it on 4/3/12.   | Comments originally submitted and oral testimony given on RWQCB action. Task to track Basin Plan amendment is complete. No further tracking is necessary.      |

# Status of California Stormwater Quality Related Policies and Permits (Completed)

April 2014

| Policy/Permit/Objective  | Lead Regulatory Agency | Status of Regulatory Action   | Status of Comments/Next Steps  |
|--|------------------------|---|--|
| Triennial Review Work Plan for Basin Plan amendments                       | RWQCB & SWRCB          | RWQCB staff held public meeting on 3/27/12 to solicit comments on its initial list of candidate issues for inclusion in the triennial review work plan. A draft staff report and list of priority projects was released on 9/7/12 with public comments due by 10/8/12. During a public hearing on 11/14/12, the Water Board approved the 2012 Basin Plan Triennial Review of the San Francisco Bay Basin Plan and adopted a priority list of Basin Plan projects. | SCVURPPP staff reviewed initial list of candidate issues, attended 3/27/12 workshop, and decided that comments are not needed at this stage of planning the triennial review process. Staff attended the public hearing on 11/14/12. Task to track this issue is complete. No further tracking is necessary. |
| <b>Federal Policies/Guidance</b>   |                        |   |  |
| EPA Construction Effluent Limitations Guidelines (ELGs)                    | US EPA                 | Released in December 2009 and item of most concern was numeric effluent limitation for turbidity. Limits were eventually stayed. On 4/1/13, EPA published proposed changes to the ELGs and standards for the Construction and Development point source category pursuant to a settlement agreement. The proposed rule withdrew the numeric discharge standards and changed several of the non-numeric provisions of the existing rule.                            | CASQA Construction Subcommittee will continue to track policy as needed.   |
| Policy on TMDL WLAs and NPDES Requirements for Stormwater (Numeric Limits) | US EPA                 | USEPA memorandum issued 10/12/10 regarding the establishment of TMDL WLAs for stormwater sources and NPDES permit requirements. After receipt of public comments, revised version sent to OMB for review. Timeline for completion is unknown.   | Provided comments to CASQA on 4/26/11 (assisted by Program legal counsel). CASQA letter sent to EPA on 5/16/11. Program staff will resume tracking this issue once policy-making process is initiated by USEPA.  |

**Status of California Stormwater Quality Related Policies and Permits (Completed)**

**April 2014**

| Policy/Permit/Objective                                  | Lead Regulatory Agency | Status of Regulatory Action  | Status of Comments/Next Steps   |
|--|------------------------|--|---|
| EPA Construction General Permit                          | US EPA                 | Draft permit issued 4/25/11. Informational webcast was held on 5/24/11. Permit was issued on 2/16/12 and will provide coverage for eligible new and existing construction projects for a period of five years. Does not directly affect California but could set a precedent for future permits.   | Program staff will resume tracking this issue once policy-making process is initiated by USEPA.                           |
| EPA Stormwater Rulemaking Process                        | US EPA                 | Proposed rule will include performance standards for new and redevelopment; retrofit requirements; extended MS4 coverage. Rule currently in OMB review. EPA intends to publish proposed rule by 6/10/13 and complete a final action by 12/10/14. According to Eugene Bromley (EPA Region 9), there should not be much impact on California's stormwater program.   | Program staff will continue to track once proposed rule is published.   |
| EPA Integrated Municipal Stormwater and Wastewater Plans | US EPA                 | EPA is promoting an integrated planning approach to allow prioritizing of wastewater and stormwater projects to more cost-effectively meet permit requirements. Memorandum dated 10/27/11; published in Federal Register on 1/11/12; workshop held in Monrovia, CA on 2/27/12. On 6/5/12, EPA released the final Integrated Municipal Stormwater and Wastewater Planning Approach Framework which was developed in conjunction with the 10/27/11 memorandum. | CASQA opinion is that this approach is focused on municipalities with combined sewer systems, but is continuing to track. |



**Status of California Stormwater Quality Related Policies and Permits (Completed)****April 2014**

| <b>Policy/Permit/Objective</b>                                    | <b>Lead<br/>Regulatory<br/>Agency</b> | <b>Status of Regulatory Action</b>  | <b>Status of Comments/Next Steps</b>   |
|---|---------------------------------------|---|--|
| Development of New or Revised Recreational Water Quality Criteria | US EPA                                | On 11/26/12, EPA released its 2012 New Recreational Water Quality Criteria recommendations for protecting human health in all coastal and non-coastal waters designated for primary contact recreation use. Water quality criteria recommendations are intended as guidance in establishing new or revised water quality standards. | On 2/21/12, CASQA submitted comments on EPA's draft Recreational Water Quality Criteria. Tracking of this issue is complete. No further tracking is necessary. |

**NA = Not Applicable****TBD = To Be Determined**